

PLANNING COMMISSION PACKAGE

APRIL 2, 2015



MEMORANDUM

TO: Hampton Planning Commission

FROM: Keith Cannady, AICP
Planning and Zoning Division Manager

DATE: March 20, 2015

SUBJECT: April Planning Commission Meeting

The next meeting of the Planning Commission is scheduled for Thursday, April 2nd 2015.

The agenda for April includes four public hearing items. These items include two use permits for live entertainment. Staff is also proposing a City-initiated amendment to the sign regulations in the M-5A and SPI-HRC districts. Your agenda also includes the Planning Commission's public hearing on the City of Hampton's proposed Fiscal Years 2016 – 2020 Capital Improvement Plan (CIP).

If you have any questions please let me know (728-5239 or kcannady@hampton.gov).



PLANNING COMMISSION
CITY OF HAMPTON, VIRGINIA

CHAIR: Gaynette LaRue
VICE-CHAIR: Andre McCloud
COMMISSIONERS: Mary Bunting, Carlton Campbell, Teresa V. Schmidt,
Thomas Southall, Gregory Williams

WORK SESSION

April 2, 2015 @ 3:00 PM – City Hall, Lawson Conference Room, 8th Floor

I. Questions about agenda items

MEETING AGENDA

April 2, 2015 @ 3:30 PM – City Hall, City Council Chambers, 8th Floor

I. Call to Order

II. Roll Call

III. Minutes of the March 5, 2015 Planning Commission Meeting

IV. Public Hearing Items

- A. Use Permit Application No. 15-00002:** by Avenue Blue Piano Bar, LLC to allow live entertainment 2 at 2330 McMenamin Street [LRSN 13002022]. The property is zoned Limited Commercial [C-2] District and is within the Special Public Interest Coliseum Central (SPI-CC) Overlay District. The Hampton Community Plan (2006, as amended) recommends Mixed Use for this area. The Coliseum Central Master Plan (2004) recommends regional retail and auto-oriented uses for this area. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Lucy Stoll, 757-727-6301 or lucy.stoll@hampton.gov.
- B. Use Permit Application No. 15-00004:** by Jotom Investors, LLC and St. George Brewing Company for live entertainment 2 at 204 Challenger Way [LRSN 6001158]. The property is zoned Limited Manufacturing District [M-1], which permits live entertainment with an approved use permit. The Hampton Community Plan (2006, as amended) recommends business/industrial uses for this area. Copies of documents or information concerning the proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Mike Hayes, 757-728-5244 or mdhayes@hampton.gov.
- C. Zoning Ordinance Amendment No. 160-2015:** Ordinance To Amend And Re-Enact Article 3 Of Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Regulations in Certain Zoning Districts" By Amending Section 10-11 Pertaining To Signage in the LFA-3 and HRC-1 Districts. This section was formerly known as Article II – M-5A and SPI-HRC of Chapter 18.1. Approval of this amendment would change the regulation for freestanding signage to permit multiple tenant names on permitted signs. The effective date for this amendment is proposed to be June 1, 2015. Copies of documents or information concerning this proposal may be obtained

from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Mike Hayes at 757-728-5244 or mdhayes@hampton.gov.

- D. **Capital Improvement Plan (CIP) for Fiscal Years 2016-2020:** The proposed five-year Capital Improvement Plan (CIP) for the City of Hampton, Virginia includes additions and improvements to the City's capital assets. Proposed projects may be included in one of the following expenditure categories: Education; Hampton's Waterways; Maintenance of Public Properties and Performance Support; Master Plans; Neighborhood Support; Other CIP Projects; Other Economic Development Projects; Public Safety; and Streets and Infrastructure. Cost estimates for the projects proposed in the five-year plan total \$213,159,091. Funding sources may include: Commonwealth of Virginia; Congestion Mitigation Air Quality Funds; General Fund; General Obligation Bond Proceeds; Stormwater Fund; Urban Maintenance Contribution; VDOT Revenue Sharing Local/State Match; VDOT Urban Contribution Initiative Fund; and the Wastewater Fund. The CIP is also scheduled for a public hearing at City Council on April 8, 2015. Copies of documents or information concerning this proposal may be obtained from the Office of Budget & Management Analysis located in Hampton City Hall, 22 Lincoln Street, or from Sunshine Torrey, 757-727-6377 or storrey@hampton.gov.

VII. **Community Development Director's Report**

- A. Youth Planner presentation
- B. Project updates

VIII. **Items by the Public**

IX. **Matters by the Commission**

X. **Adjournment**

Protocol for Public Input at Planning Commission Meetings:

Hampton Planning Commission meetings are open to the public. The public is invited to attend meetings and to observe the work and deliberations of the Planning Commission. The public may also address the Planning Commission on public hearing items by signing up to speak. Public hearing sign-up sheets will be available until the specific item is reached during the course of the meeting. Speakers will be recognized in the order in which they sign up and are asked to state their name and address, to limit their comments to 3 minutes, and to avoid repeating comments made by previous speakers.

*As a courtesy to others during the meeting,
please turn off cellular telephones or set them to vibrate.*

CITY OF HAMPTON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING ADMINISTRATION DIVISION
22 LINCOLN STREET, 5TH FLOOR
HAMPTON, VA 23669
757-727-6140



AT THE WORK SESSION OF THE HAMPTON PLANNING COMMISSION HELD IN THE LAWSON CONFERENCE ROOM, 8TH FLOOR, CITY HALL, HAMPTON, VIRGINIA, ON THURSDAY, MARCH 5, 2015, AT 3:00 P.M.

Commissioners Tommy Southall, Gregory Williams, Teresa Schmidt, Vice-Chair Andre McCloud, and Chairman Gaynette LaRue were present. Commissioner Carlton Campbell was absent. Commissioner Mary Bunting joined the session at 3:23 p.m.

Chairman LaRue stated three of the Zoning Ordinance Amendments would be given in one presentation, but would still require three votes.

Secretary to the Commission Terry O'Neill stated Zoning Ordinance Amendments A, B, and C under the Public Hearing Items are related and were briefly addressed at the last Commission meeting. Staff began receiving a lot of inquiries about locations for detention facilities from government service administrations looking for properties in Hampton for use as halfway houses for prisoners being released. It was realized that Hampton was not in alignment with other jurisdictions regarding this type of use. The RFP (request for proposals) process is out and Hampton does not want to be unfairly singled out as the only place that allows this as a by-right use.

Zoning Ordinance Amendment D deals with HRCW (Hampton Roads Center West), a relatively small piece of property (70 acres) located near the landfill. The Commissioners have the opportunity to first address this item in closed session. Director of Development Leonard Sledge is available to speak if needed.

A company is interested in this property and needs a high level of security that requires specific fencing. The location is fairly isolated. This is a potential opportunity to bring a business into Hampton.

Mr. O'Neill stated the reason for a closed session is due to the sensitivity about who the client is.

Commissioner Southall stated he would prefer not to go into a closed session. He would like the entire district treated as a whole and not just one parcel.

Mr. O'Neill explained the three parcels cover the whole district and each parcel has the same owner.

In reply to the question of what is the definition of a security fence and what type of fence the applicant would need, Mr. O'Neill explained the applicant requires a special variety of fence.

Planning and Zoning Services Manager Keith Cannady stated the tenant requires a fence that goes beyond a decorative fence. The proposed amendment would require that the fence along Big Bethel Road be located behind the berm. There is no change in the requirements dealing with the height of the fence.

Mr. Sledge stated the berm already exists; a casual observer will not recognize a fence.

Commissioner Williams stated he is leaning toward a closed session because the Commission does not know what the use is and the Commissioners need to know as much as possible in order to make an informed decision.

HRCW is not one of the districts where barbed wire fences are permitted. City Code allows barbed wire fences in commercial and manufacturing zone districts.

Mr. O'Neill stated the question at hand is to see if the Commission is comfortable in hearing this case without a closed hearing.

In response to a question from Commissioner Southall, Mr. Cannady stated the request does not affect the land use only the fencing.

There was discussion on the concern of what business would require this high level of security and Mr. O'Neill stated the proposed use is a permitted use.

In response to a question from Commissioner McCloud, Mr. O'Neill explained the property has vacant buildings and someone wants to come in and use these buildings.

In response to Chairman LaRue's concern, Mr. Cannady stated the berm is protected under City Code.

Deputy Zoning Administrator Jeff Conkle stated the berm is required under the Landscaping Guidelines.

Mr. Sledge stated the berm is located along Big Bethel Road and will not be easily seen from Big Bethel Road. This business presents an opportunity to backfill the space.

In response to a question from Vice-Chair McCloud, Mr. O'Neill stated the proposed use is different from the current use, but it is still a permitted use and the applicant would not need to come before the Commission if they did not require the higher security.

When Chairman LaRue asked if the Commissioners still wanted a closed hearing the decision was made to not have the closed session.

Mr. O'Neill explained there has been another agenda change. Because of bad weather conditions the Youth Planners had been told to go home from school so there will be no oral report given. Commissioners have a written Youth Planner report in their package.

In response to a question from Commissioner Southall about the State of Virginia's definition of family, Assistant City Attorney Bonnie Brown stated there are certain uses that must be treated as single-family. Detention centers do not have to be treated as single-family.

In response to a question from Commissioner McCloud, Mr. Conkle stated that there are distance separation requirements of $\frac{3}{4}$ of a mile between juvenile residences. Detention facilities are not addressed that way.

Ms. Brown read the definition of detention center.

In response to a question from Commissioner Williams, Mr. O'Neill stated the ordinance changes will determine where these facilities may not be located.

City Planner Matt Smith stated the applicant for the day care 3 held a community meeting. Mr. Smith also stated he received a phone call from an adjacent neighbor who would like a fence between her property and the church property if the Use Permit is approved.

There being no further business, the meeting was adjourned at 3:28 p.m.

AT A PUBLIC HEARING AND REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, HAMPTON, VIRGINIA, ON THURSDAY, MARCH 5, 2015 AT 3:30 P.M.

I. CALL TO ORDER

Chairman Gaynette LaRue called the Planning Commission meeting to order.

II. ROLL CALL

A call of the roll noted Commissioners Tommy Southall, Gregory Williams, Teresa Schmidt, Mary Bunting, Vice-Chair Andre McCloud, and Chairman Gaynette LaRue were present. Commissioner Carlton Campbell was absent.

III. MINUTES

A motion was made by Commissioner Andre McCloud, seconded by Commissioner Carlton Campbell, to approve the minutes of the February 5, 2015 work session and Planning Commission meeting. A roll call vote on the motion resulted as follows:

AYES:	Williams, Southall, McCloud, Schmidt, Bunting, LaRue
NAYS:	None
ABST:	None
ABSENT:	Campbell

PUBLIC HEARING PROCEDURES

Mr. Terry O'Neill, Secretary to the Commission, read key points of the Hampton Planning Commission Public Hearing/Comment Rules in order for the affairs of the Commission to be conducted in a courteous and orderly manner.

IV. PUBLIC HEARING ITEMS

Mr. O'Neill read the public hearing items advertised in the Daily Press on February 19, and February 26, 2015.

- A. Use Permit Application No. 14-00022:** by Hampton Church of the Nazarene, Inc. to operate a day care 3 at 32 Tide Mill Lane [LRSN 7001577]. The property is zoned One Family Residence (R-13) District, which permits a day care 3 subject to approval of a use permit. The applicant is requesting permission to operate a day care for a maximum of 110 children. The Hampton Community Plan (2006, as amended) recommends public/semi-public use for this area.

City Planner Matt Smith presented Use Permit Application No. 14-00022 by Hampton Church of the Nazarene, Inc. The request is for a use permit to operate a day care facility for approximately 120 children. Clients will range in age from zero to twelve years. Proposed hours of operation are 6:30 a.m. to 8:00 p.m. Monday through Friday. While the applicant requested a capacity of 120 children, staff

review of the proposal determined that the State building code will limit the applicant to 110 children.

The applicant is proposing to operate the day care in their existing building located at 32 Tide Mill Lane. The property is zoned R-13, One Family Residence District, which permits a Day Care 3 subject to approval of a use permit. The site provides sufficient parking for a day care serving 110 children. A traffic circulation plan has been reviewed and approved by staff.

The Hampton Community Plan (2006, as amended) recommends public/semi-public use for this site and adjacent properties on Tide Mill Lane. The Plan also establishes policies that support a nurturing environment for children in the community. The proposed day care is in alignment with these policies of the Community Plan.

If this application is approved, staff recommends attaching conditions that address aspects of the operation of the day care that include hours of operation, circulation, and capacity.

A community meeting was held on January 27 and no one attended. An adjacent property owner called and requested a fence be placed between their property and the church property.

Staff recommends approval of Use Permit Application No.14-00022 with 10 conditions.

In response to a question from Commissioner Southall, Mr. Smith stated there is not an enclosed play area and fencing is not required, but that it is something that can be addressed by the Commission.

Commissioner Williams stated his concern about the safety issue of the children wandering off, or of uninvited people coming onto the property from the wooded area behind the church. Mr. Smith stated the wooded area consists of a row of trees between the two properties.

Dr. Gary Carnahan, 7 Ridge Lake Drive, stated he is the pastor of the Church and has been at this Church for six years. Although the Church is the owner of the property, it is attempting to open the day care center in cooperation with another non-profit ministry. In answer to the question about the wooded area, there have been no problems with strangers in the area. There is also enough green space around the Church where there should be no issue and there is enough foot traffic from the people in the Church to provide security for the children.

Because the present day care is operating in the building where his office is located, Dr. Carnahan stated he has occasion to see it often. The children are quiet and orderly. This is a biracial operation and it helps smooth racial issues within the community.

The occupancy permit is a concern. The use of the building will not be changed. They are only expanding what they have been doing since 1961 with their original

occupancy permit and would like the application to go forward. The portion of the building for the day care has always been used for children's education.

Dr. Carnahan stated he is in favor of the application going forward.

In response to questions from Vice-Chair McCloud, Dr. Carnahan stated outside activities such as cook-outs are conducted and the non-profit working with them is Pattern Interrupt Ministries.

In response to a question from Commissioner Williams, Dr. Carnahan stated that a fence would be erected if required. A fence was not considered necessary as the wooded area creates a sufficient barrier for noise and control for any children who might wander off. There is enough green area around the Church for the play area to be sufficiently removed from the houses.

In response to a question from Commissioner Schmidt, Dr. Carnahan stated the day care currently has 12 students with ages from 6 weeks to 3 years.

Commissioner Southall stated safeguarding the children is his concern. There are currently 12 children which are easy to watch, but that is expanding to 110 which will not be as easy. With so much in the recent news about things happening in day cares, it is his belief that it would be better if there was a barrier to prevent the children from leaving the premises.

Dr. Carnahan stated Burbank Elementary School, with many more children, is next door and it does not have a fence. The school has had no issues of which he is aware. Staff will be increased to provide supervision for the additional children. There is also an additional play area on the side of the building that does not back up to a residential area.

In response to Commissioner Schmidt's concern with the building facility and being able to safe-guard and provide security for the children from people who come in and for the children going out, Dr. Carnahan stated with the use of fire doors the children are contained in one section of the building and are protected from staircases. There is one door for the public to come in and out although there are other doors that provide an emergency exit.

Assistant City Attorney Bonnie Brown reminded the Commissioners that they have the authority to recommend approval of the same conditions recommended by staff or to add or modify conditions, such as the fence, for consideration by City Council. Staff makes recommendations to the Commission and the Commission makes recommendations to City Council.

Commissioner Schmidt stated she would not make it a contingency but the thought needs to be addressed when children are being housed in any manner. It is a fact of life now that a lot of day cares have lockdown doors and the doors are locked when the children come in or they have the magnetic doors. It is an area of concern for everyone. She stated she would not make it a requirement, but a recommendation.

Dr. Carnahan stated it is a well received recommendation.

Vice-Chair McCloud stated that Burbank is a public school and does not have a fence. The Church will not have as many children as Burbank and he does not see making a fence one of the requirements.

Dr. Carnahan stated the Church also owns 26 Tide Mill Lane which could be used as a play area and it does not back up to residential.

Mark Armstrong, 10 Dunn Circle, stated he has been a youth pastor for 15 years and has done various camps for children. Safety is foremost on his mind and he understands the need for care and safety of these children. As part of the planning process the addition of cameras and door features has been discussed. They are in the process of getting a computer that requires a parent to use biological touch in order to identify their child/children. Relating to property issues, the structure and playground are located well back from the road and the student/staff ratio exceeds State requirements. The Board decided to use the most stringent security measures. As their financial situation changes they will erect a fence.

Paul Koss, 31 Edgemont Drive, stated he is a member of the Church of the Nazarene and has never heard or known of any problems in this area. There are five churches, a mosque, and two schools located within a three block area. As part of his church duties, he personally checks all building doors to make certain they are secured. He expressed his confidence in Brother Armstrong, the Church, the Pastor, and the Board. They would be derelict if security was not a primary issue.

After discussion the Commission approved the following resolution.

WHEREAS: the Hampton Planning Commission has before it this day a proposal by Hampton Church of the Nazarene, Inc. to operate a day care 3 at 32 Tide Mill Lane [LRSN 7001577];

WHEREAS: the property is zoned One Family Residence (R-13) District, which allows for the operation of a day care 3 subject to approval of a use permit;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends public/semi-public use for this site, and establishes policies that support a nurturing environment for Hampton's children and youth;

WHEREAS: ten (10) conditions are attached that address aspects of the operation of the day care including hours of operation, circulation, and capacity; and

WHEREAS: three representatives of the applicant spoke in support of the application, and one adjacent property owner requested a fence to separate her property from the play area of the day care;

NOW, THEREFORE, on a motion by Commissioner Teresa Schmidt and seconded by Commissioner Andre McCloud,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 14-00022, subject to ten (10) conditions.

A roll call vote on the motion resulted as follows:

AYES:	Southall, Williams, McCloud, Schmidt, Bunting, LaRue
NAYS:	None
ABST:	None
ABSENT:	Campbell

V. CLOSED SESSION

Closed session pursuant to Virginia Code section 2.2-3711(A)(5) to discuss a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

During the Planning Commission work session the consensus of the Planning Commissioners was to not hold a Closed Session meeting.

VI. PUBLIC HEARING ITEM

- A. Zoning Ordinance Amendment No. 156-2015:** Ordinance To Amend And Reenact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Sections 2-2 Entitled, "Table Of Uses Permitted" And 2-3 Entitled, "Additional Standards On Uses" Pertaining To Development Standards For Group Homes, Juvenile Residences, Orphanages And Shelters. Approval of this amendment would change the uses of detention facility and halfway house from being permitted by-right to being permitted by use permit in the C-1, C-2, and C-3 districts and would remove the uses from the RT-1, SPI-OHB and SPI-OHW districts. This amendment would also change the use of group home 2 from being permitted by-right to being permitted by use permit in the C-1, and C-2 districts and would remove the use from the RT-1, SPI-OHB, SPI-OHR and SPI-OHW districts. This amendment would also consolidate the uses of juvenile residence 1, juvenile residence 2 and juvenile residence 3 into one new use named juvenile residence which will be permitted by use permit in the R-R, R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, MD-T, MD-2, MD-3, MD-4, R-M, C-1 and C-2 districts with an additional standard requiring separation from other uses of the same type. This amendment would also change the use of orphanage in the C-2 and C-3 districts to include an additional standard requiring separation from other similar uses and would remove the use from the RT-1, SPI-OHB and SPI-OHW districts. This amendment would also change the use of shelter in the C-1, C-2 and C-3 districts to include an additional standard requiring separation from other uses of the same type and would remove the use from the RT-1, SPI-OHB,

SPI-OHR and SPI-OHW districts. This application is also being advertised for the March 25, 2015 City Council meeting.

- B. Zoning Ordinance Amendment No. 157-2015:** Ordinance To Amend And Re-Enact Article XV Of Chapter 17.3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "SPI-CC Coliseum Central District" By Amending Section 17.3-116 Pertaining To Modifications to Permitted Uses. Approval of this amendment would remove the uses of detention facility, group home 2, halfway house, juvenile residence, orphanage and shelter from the SPI-CC District. This application is also being advertised for the March 25, 2015 City Council meeting.
- C. Zoning Ordinance Amendment No. 158-2015:** Ordinance To Amend And Re-Enact Chapter 2.1 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Definitions" By Amending Section 2.1-2 Pertaining To Definitions. Approval of this amendment would create new definitions for "detention facility" and "juvenile residence" while deleting the definitions for "juvenile detention facility," "juvenile residence 1," "juvenile residence 2" and "juvenile residence 3." This application is also being advertised for the March 25, 2015 City Council meeting.

Deputy Zoning Administrator Jeff Conkle presented Zoning Ordinance Amendment Nos. 156-2015, 157-2015, and 158-2015 together as they are related items. These Zoning Ordinance amendments will require three separate votes.

The existing Ordinance contains several types of "group living" uses. The three amendments address group homes; juvenile residences; shelters; orphanages; halfway houses; and detention facilities. These are permitted in districts which are not in alignment with the Community Plan or master plans. For example, halfway houses are permitted by-right in the Coliseum Central area. The solution is to remove these uses from the Coliseum Central, Downtown, and Residential Transition districts. It would change these uses to require a use permit in all other districts where previously permitted by-right.

Staff recommends approval of Zoning Ordinance Amendments 156-2015, 157-2015, and 158-2015.

In response to a question from Vice-Chair McCloud, Mr. Conkle stated there were three juvenile residence categories based on the number of residents and the proposal is to delete those differences and have one new use called "juvenile residence." None of these uses will be permitted by-right. A use permit will be required.

Community Development Director Terry O'Neill stated now that use permits are required, options are given to assess the number of residents requested versus the size of the structure and location, parking, drop-off, etc.; similar to the review of a day care.

There were no public speakers.

Commissioner Southall thanked all staff involved for doing the research involved behind the Ordinance changes which makes it easier for the Commissioners to make an informed decision.

After discussion the Commission approved the following resolutions:

A. Zoning Ordinance Amendment No. 156-2015

WHEREAS: The Hampton Planning Commission has before it this day ZOA 156-2015, a proposed ordinance to amend and reenact Chapter 2 of the Zoning Ordinance of the City of Hampton, Virginia by amending sections 2-2 entitled, "Table of Uses Permitted" and 2-3 entitled, "Additional Standards on Uses" pertaining to development standards for group homes, juvenile residences, orphanages and shelters;

WHEREAS: staff discovered that allowances for group living uses were out of alignment with the community plan, applicable master plans, and neighboring jurisdictions;

WHEREAS: this amendment would change the use of detention facilities and halfway houses from being permitted by-right to being permitted by use permit in the C-1, C-2, and C-3 districts and would remove the uses from the RT-1, SPI-OHB, and SPI-OHW districts;

WHEREAS: this amendment would also change the use of group home 2 from being permitted by-right to being permitted by use permit in the C-1 and C-2 districts and would remove the use from the RT-1, SPI-OHB, SPI-OHR, and SPI-OHW districts;

WHEREAS: this amendment would also consolidate the uses of juvenile residence 1, juvenile residence 2, and juvenile residence 3 into one new use named juvenile residence which will be permitted by use permit in the R-R, R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, MD-T, MD-2, MD-3, MD-4, R-M, C-1, and C-2 districts with an additional standard requiring separation from other uses of the same type;

WHEREAS: this amendment would also change the use of orphanage in the C-2 and C-3 districts to include an additional standard requiring separation from other similar uses and would remove the use from the RT-1, SPI-OHB, and SPI-OHW districts;

WHEREAS: this amendment would also change the use of shelter in the C-1, C-2, and C-3 districts to include an additional standard requiring

separation from other uses of the same type and would remove the use from the RT-1, SPI-OHB, SPI-OHR, and SPI-OHW districts; and

WHEREAS: there were no speakers from the public.

NOW, THEREFORE, on a motion by Commissioner Southall and seconded by Commissioner Williams,

BE IT RESOLVED that the Hampton Planning Commission recommends approval to City Council of the ordinance amendment to Chapter 2 of the Zoning Ordinance.

A roll call vote on the motion resulted as follows:

AYES:	Southall, Williams, McCloud, Schmidt, Bunting, LaRue
NAYS:	None
ABST:	None
ABSENT:	Campbell

B. Zoning Ordinance Amendment No. 157-2015

WHEREAS: The Hampton Planning Commission has before it this day ZOA 157-2015, a proposed ordinance to amend and reenact Article XV of Chapter 17.3 of the Zoning Ordinance of the City of Hampton, Virginia entitled "SPI-CC Coliseum Central District" by amending section 17.3-116 pertaining to modifications to permitted uses;

WHEREAS: staff discovered that allowances for group living uses were out of alignment with the community plan, applicable master plans, and neighboring jurisdictions;

WHEREAS: this amendment would remove the uses of detention facility, group home 2, halfway house, juvenile residence, orphanage and shelter from the SPI-CC District; and

WHEREAS: there were no speakers from the public.

NOW, THEREFORE, on a motion by Commissioner Southall and seconded by Commissioner McCloud,

BE IT RESOLVED that the Hampton Planning Commission recommends approval to City Council of the ordinance amendment to Chapter 17.3 of the Zoning Ordinance.

A roll call vote on the motion resulted as follows:

AYES: Southall, Williams, McCloud, Schmidt, Bunting, LaRue
NAYS: None
ABST: None
ABSENT: Campbell

C. Zoning Ordinance Amendment No. 158-2015

WHEREAS: The Hampton Planning Commission has before it this day ZOA 158-2015, a proposed ordinance to amend and reenact Chapter 2.1 of the Zoning Ordinance of the City of Hampton, Virginia entitled "Definitions" by amending section 2.1-2 pertaining to definitions;

WHEREAS: staff discovered that allowances for group living uses were out of alignment with the community plan, applicable master plans, and neighboring jurisdictions;

WHEREAS: this amendment would create new definitions for "detention facility" and "juvenile residence" while deleting the definitions for "juvenile detention facility," "juvenile residence 1," "juvenile residence 2," and "juvenile residence 3"; and

WHEREAS: there were no speakers from the public.

NOW, THEREFORE, on a motion by Commissioner Southall and seconded by Commissioner Schmidt,

BE IT RESOLVED that the Hampton Planning Commission recommends approval to City Council of the ordinance amendment to Chapter 2.1 of the Zoning Ordinance.

A roll call vote on the motion resulted as follows:

AYES: Southall, Williams, McCloud, Schmidt, Bunting, LaRue
NAYS: None
ABST: None
ABSENT: Campbell

D. Zoning Ordinance Amendment No. 159-2015: Ordinance To Amend And Re-Enact Article XIV Of Chapter 17.3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "SPI-HRCW Hampton Roads Center West" By Amending Section 17.3-105 Pertaining To Building And Screening Materials. Approval of this amendment would modify the standards for fences in the SPI-HRCW District. This application is also being advertised for the March 25, 2015 City Council meeting.

Planning and Zoning Administration Manager Keith Cannady presented Zoning Ordinance Amendment No. 159-2015 which is a proposal to amend the Special Public Interest-Hampton Roads Center West district (SPI-HRCW) and specifically to amend Section 105(6) of Chapter 17.3 referring to building and screening requirements, specifically fencing requirements.

The SPI-HRCW district is located in the northwest quadrant of the City, bound by I-64, Big Bethel Road, and the Hampton Landfill.

This amendment is in response to a particular development proposal. The land use plan recommendation for the properties is business/ industrial.

Approval of this amendment would change the way fences are regulated in the SPI-HRCW district. The proposed amendment would eliminate restrictions on fence materials and would allow fences to be located within a required setback. The amendment would also require that fences located adjacent to Big Bethel Road be placed behind the existing vegetated berm and landscaping that is provided along this side of the district. That portion of the property will screen the fence from the public view. This Zoning Ordinance amendment accompanies a proposed amendment to the Hampton City Code which would permit barbed wire fences in the SPI-HRCW district.

The purpose of this Zoning Ordinance amendment is to allow for a greater level of security for buildings and properties located within the district while also protecting the screening that is provided from the public right-of-way along Big Bethel Road.

Some of the important Community Plan policies that pertain to this proposed amendment are:

- Promote high quality design and site planning that is compatible with surrounding development.
- Preserve and enhance the identity and scenic qualities of city corridors and gateways.
- Retain, expand, and attract businesses that provide jobs with family-supporting wages.

Staff recommends approval of Zoning Ordinance Amendment No. 159-2015.

After discussion the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day ZOA 159-2015, a proposed ordinance to amend and reenact Article XIV of Chapter 17.3 of the Zoning Ordinance of the City of Hampton, Virginia entitled, "SPI-HRCW Hampton Roads Center West" by amending section 17.3-105 pertaining to building and screening materials;

WHEREAS: this amendment would eliminate restrictions on fence materials, allow fences to be located within the required set back and require that fences located adjacent to Big Bethel Road be placed behind the required vegetated berm that is provided along this side of the district;

WHEREAS: approval of this amendment would allow for a greater level of security for buildings and properties located within the district while protecting the screening that is provided from the public right-of-way along Big Bethel Road;

WHEREAS: this proposed zoning ordinance amendment accompanies a proposed amendment to the Hampton City Code to allow barbed wire fences in the SPI-HRCW district; and

WHEREAS: there were no speakers from the public.

NOW, THEREFORE, on a motion by Commissioner Williams and seconded by Commissioner Southall,

BE IT RESOLVED that the Hampton Planning Commission recommends approval to City Council of the ordinance amendment to Chapter 17.3 of the Zoning Ordinance.

A roll call vote on the motion resulted as follows:

AYES:	Southall, Williams, McCloud, Schmidt, Bunting, LaRue
NAYS:	None
ABST:	None
ABSENT:	Campbell

VII. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. O'Neill stated that because of bad weather conditions the Youth Planners had been told to go home from school so there will be no oral report given. Commissioners have a written Youth Planner report in their package. The Commissioners may forward any questions to either himself or City Planner Tolu Ibikunle.

VIII. ITEMS BY THE PUBLIC

There were no items by the public.

IX. MATTERS BY THE COMMISSION

Commissioner Southall stated he had received an email stating the Budget Session scheduled for this evening had been cancelled. Another session is planned for Saturday, March 7, 2015. He asked Commissioner Bunting if she had anything further to add on the budget sessions.

Commissioner Bunting stated one of the objectives each year is to get citizen input prior to finalization of the Manager's budget. It helps staff make sure the Manager's recommended budget reflects community input as much as fiscal reality allows before it is put before the City Council. This is not something every city does, but it has become a Hampton tradition. There is usually one evening and one weekend session. Because of the bad weather and school facility closures, this evening's session was cancelled. Availability for another time and place are being checked for next week. The Saturday session will be held from 9:30 to 11:00 a.m. at Hampton High School. An update of the fiscal conditions of the City, region, and state, along with their impact on the budget are some of the issues that will be presented.

Letters were sent to the registered neighborhood and civic associations, as well as other community partners, with an offer of the presentation to be given to their associations by staff. This offer also goes out to those interested groups listening to this broadcast of the Planning Commission meeting.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 4:15 p.m.

Respectfully submitted,

Terry O'Neill
Secretary to the Commission

APPROVED BY:

Gaynette LaRue
Chairman

AGENDA REVIEW

ITEM NO: UP 15-00002

DATE: 4/2/2015

PREPARED BY: Lucy Stoll

REVIEWED BY: Keith Cannady, AICP

REVIEWED BY: Sharon McSmith, CAP

Phone# 727-6301

Phone# 728-5239

Phone# 728-5240

SUBJECT: Use Permit Application No. 15-00002: by Avenue Blue Piano Bar, LLC, for live entertainment 2 at 2330 McMenamin Street [LRSN 13002022].

ACTION REQUESTED OF COMMISSISON: Recommend approval of Use Permit No. 15-00002 with twelve (12) conditions.

BRIEF BACKGROUND STATEMENT:

This is a request for a use permit for indoor live entertainment in conjunction with an existing restaurant. The property is located in Peninsula Town Center and is zoned Limited Commercial District (C-2), which allows live entertainment with a use permit. The property is also located in the Special Public Interest – Coliseum Central (SPI-CC) Overlay District. Proposed hours of operation are 11:00AM - 10:00PM Sunday through Thursday and 11:00AM – 2:00AM Friday and Saturday.

The applicant is proposing to have live entertainment in their existing building located at 2330 McMenamin Street. Peninsula Town Center provides more than enough parking for this use, and traffic impacts will be minimal.

The Hampton Community Plan (2006, as amended) recommends mixed use for this site and adjacent properties in and around Peninsula Town Center. The Plan also establishes policies that support expanding entertainment opportunities as well as supporting small and start-up businesses. The Coliseum Central Master Plan (2004) calls for the Coliseum Drive North area (where Peninsula Town Center is located) to provide community- and neighborhood-serving retail alongside regional retail and auto-oriented uses located around the interstate. The proposed live entertainment is in alignment with the Plan as well as the Coliseum Central Master Plan (2004).

If this application is approved, staff recommends attaching conditions that address aspects of the operation of the live entertainment that include hours of operation, location of live entertainment, and noise/sound.

Staff recommends approval of Use Permit Application #15-00002 with 12 conditions.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:

Application, Staff Report, PowerPoint presentation

DATES ADVERTISED: Planning Commission: March 19, 2015 and March 26, 2015

CONDITIONS ATTACHED: x Yes ___ No

Use Permit Application No. 15-00002

Avenue Blue Piano Bar, LLC: Live Entertainment II
2330 McMenamin Street, Hampton, VA 23666

1. Issuance of Permit

The Use Permit applies only to 2330 McMenamin Street [LRSN 13002022] and is not transferable to another location.

2. Location of Live Entertainment

Live Entertainment may be conducted inside the building only. Live Entertainment shall be limited to the 117 square foot area indicated on the attached floor plan and identified as "Performance Space," attached hereto as Exhibit A. The set up and use of any equipment shall not interfere with required clear space for safe exit in the case of emergency, per the Uniform Statewide Building Code and/or the Statewide Fire Prevention Code.

3. Hours of Operation

The hours of operation for live entertainment shall be limited to the following:

- Sunday-Thursday: 11:00 AM to 10:00 PM
- Friday-Saturday: 11:00 AM to 2:00 AM

4. Capacity

During the time that live entertainment is being provided, patronage and staff shall not exceed the maximum capacity determined by a City building official.

5. Sound

Live entertainment located at 2330 McMenamin Street shall comply with City Code section 22-9 with respect to any sound or noise.

6. Staffing

Sufficient staff shall be provided to monitor patron behavior upon their exit of the building into the surrounding areas.

7. Licensing and Compliance with all Laws

When required by law, the restaurant must maintain a valid license from the Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions or requirements imposed by VABC. In addition, this Use Permit may be terminated for any violation of federal, state, or local law.

8. Dancing

The property owner shall comply with section 4-16 of the Hampton City Code with respect to dancing on the premises and dance floor area.

9. Third Party Promoters

Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility.

10. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

11. Nullification

a. The Use Permit shall become null and void if the use is not established within twelve months of the date of approval by the City Council.

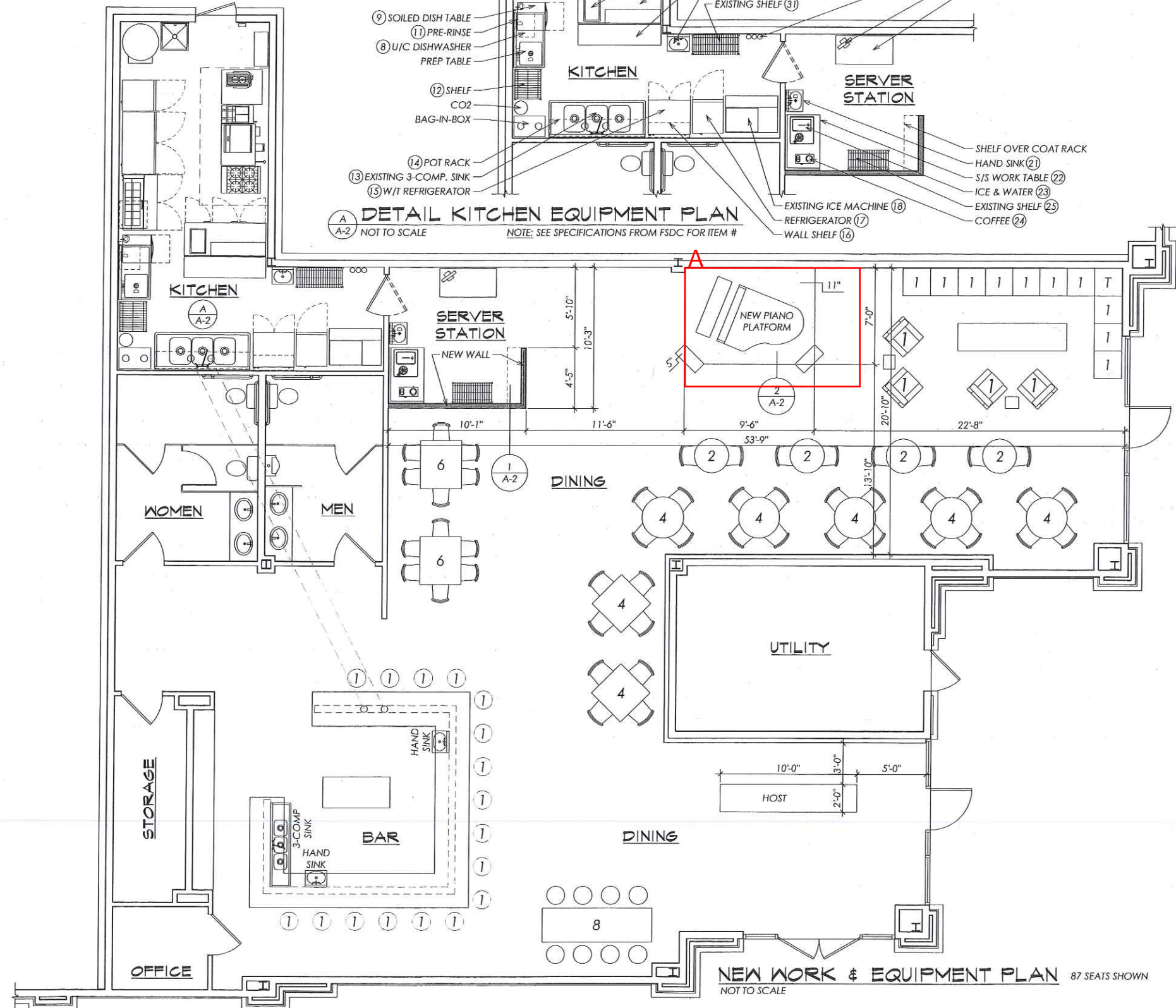
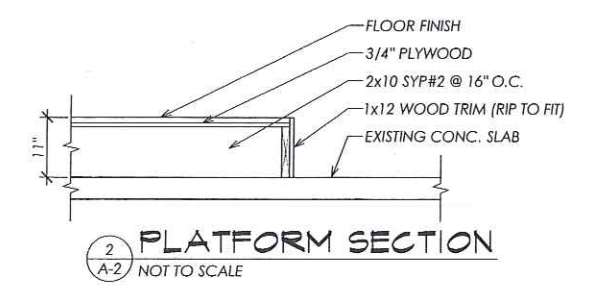
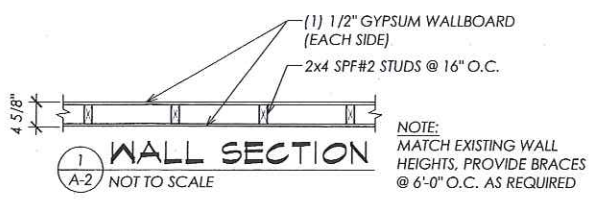
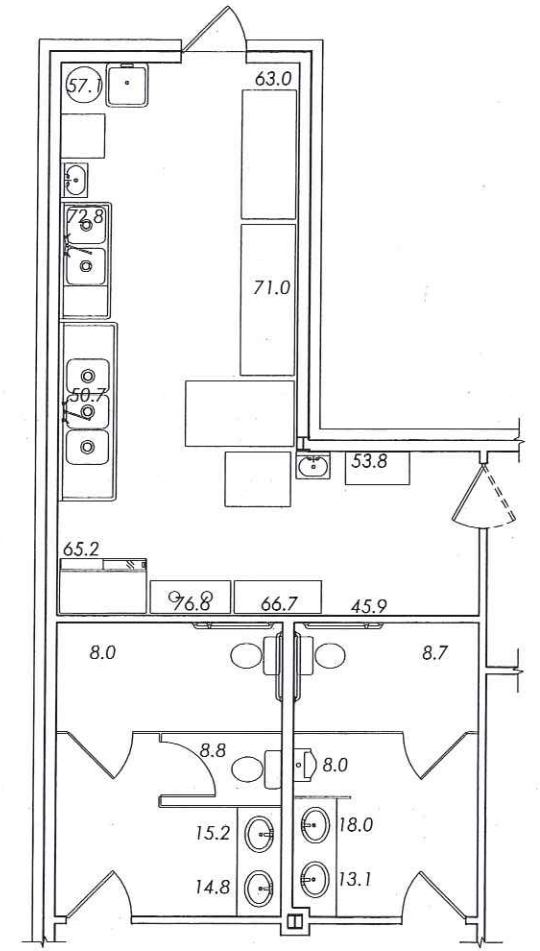
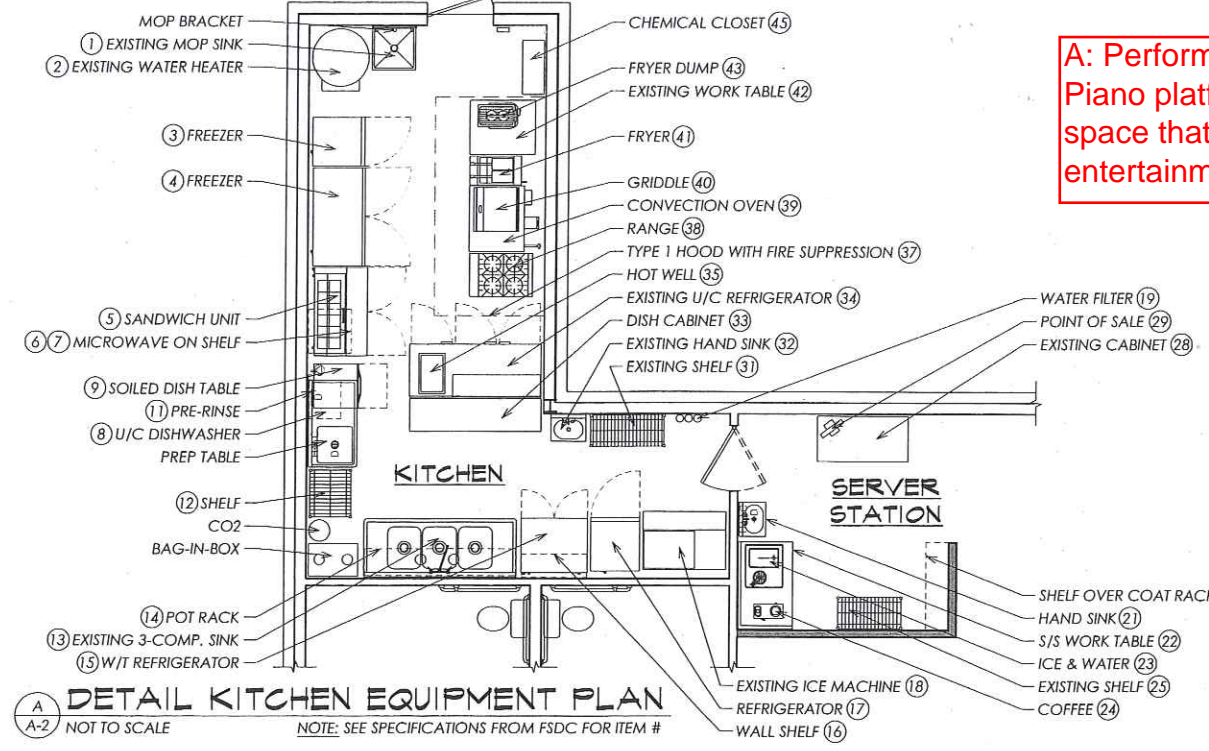
b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of two years.

12. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of

an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.

A: Performance Space
Piano platform is 9' x 6'; total
space that may be used for live
entertainment is 13' x 9'



PROJECT NAME: TENANT BUILD-OUT FOR: AVENUE BLUE PIANO BAR, 2330 KENYAN ST., HAMPTON VA 23666		EQUIPMENT PLAN W/ LIGHTING LEVEL PLAN & SECTIONS	
BY	REVISION	DATE	NO.
FILE NAME: 1511 - AI	DATE: 13 FEB 15	DRAWN BY: DRM	CHECKED BY: CMH
USE PERMIT SET		JOB NO: 1511	
A-2		SHEET 2 of 4	



Application for
Use Permit

Complete this application in its entirety and submit pages 4 and 5 along with the required materials (including any required supplements) as listed on page 2 to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

OFFICE USE ONLY
RECEIVED
Date Received

FEB 02 2015

PLANNING DEPT.

Case Number: UP 15-00002

1. PROPERTY INFORMATION

Address or Location 2330 McMenamin Street, 23666

LRSN 13002022

Zoning District C2, SPT-CC

Current Land Use Restaurant

Proposed Land Use Restaurant

The proposed use will be in: ☒ an existing building ☐ a new addition ☐ a new building

2. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner's Name Peninsula Main VA, LLC

Address 11600 Dallas Pkwy. Ste. 300 City Dallas State TX Zip 75248

Phone (972) 417-5835 Email consultant@tabanigroup.com

3. APPLICANT INFORMATION (if different from owner)

Applicant's Name Avenue Blue Piano Bar, LLC

Address PO Box 120484 City Newport News State VA Zip 23612

Phone (757) 602-7480 Email avenueblue.va@gmail.com

4. APPLICANT AGENT INFORMATION (if different from applicant)

Agent's Name N/A

Address _____ City _____ State _____ Zip _____

Phone _____ Email _____

5. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is not an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 2 above.

"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity _____

Signed by:

Name (printed) ZESHAN TABANI, Its (title) VP

Signature [Signature] Date 3.5.15

Name (printed) _____, Its (title) _____

Signature _____ Date _____

Name (printed) _____, Its (title) _____

Signature _____ Date _____

6. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed) N/A

Signature _____ Date _____

Name (printed) _____

Signature _____ Date _____

OFFICE USE ONLY

☐ Application Form

☐ Narrative Statement

☐ Supplemental Form (if required)

☐ Application Fee

☐ Survey Plat

☐ Additional materials (if required)



Supplemental Information for
Live Entertainment '2'

Complete this supplement in its entirety and submit with the completed Use Permit application form to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

OFFICE USE ONLY
Date Received:

Case Number: UP _____ - _____

1. LOT INFORMATION

Current Number of On-site Parking Spaces N/A Proposed Number of On-site Parking Spaces _____

2. BUILDING INFORMATION

Square Footage 3,500 Square Footage of Live Entertainment Area 117 sq. ft.

☐ Please attach a floor plan of the facility with all rooms labeled as to their use and square footage and showing the location of the live entertainment area

3. OPERATIONAL INFORMATION

Existing Use Restaurant Proposed Use Restaurant

Proposed Type(s) of Entertainment to be Offered Pianist, 3-4 jazz/blues bands, vocalists

Equipment Required for Type(s) of Entertainment to be Offered drums, guitar, sax

Seating Capacity 88 Length of Ownership of this Business Established 8/2014

Existing Hours of Operation: Mon _____ Tue _____ Wed _____

Thu _____ Fri _____ Sat _____ Sun _____

Proposed Hours of Operation: Mon Closed Tue 4pm-12am Wed 4pm-12am
Thu 4pm-2am Fri 11am-2am Sat 11am-2am Sun Closed

STAFF EVALUATION

To: Planning Commission

Prepared By: Lucy Stoll

727-6301

Reviewed By: Keith Cannady, AICP

728-5239

Sharon McSmith, CAP

728-5240

Case No.: Use Permit Application No. 15-00002

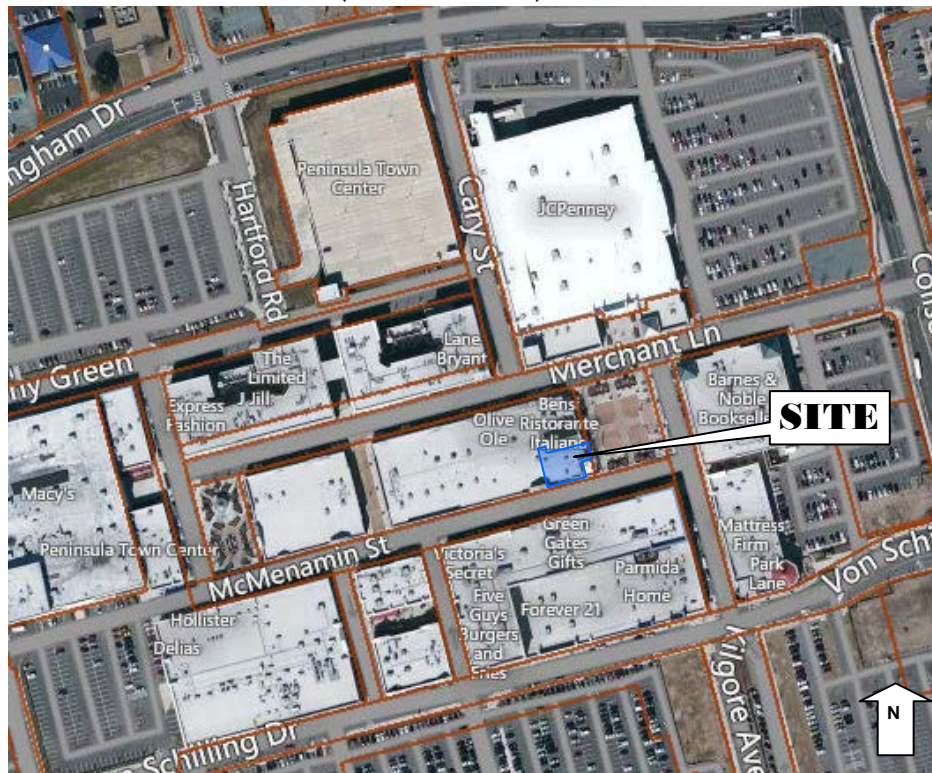
Date: 4/2/2015

General Information

Applicant Avenue Blue Piano Bar, LLC

Owner Peninsula Main VA, LLC

Location 2330 McMenamin Street. (LRSN: 13002022)



Requested Action Use Permit to allow for indoor live entertainment 2 at an existing restaurant with a capacity greater than fifty (50) people.

Description of Proposal The applicant is proposing to provide live entertainment inside the wine bar. Live entertainment will feature a baby grand piano, vocalists and jazz and blues bands. Additionally, conditions recommended by staff expand upon the hours of operation requested by the applicant in order to allow for future operational flexibility.

Existing Land Use Restaurant

Zoning C-2 (Limited Commercial District), and SPI-CC (Special Public Interest -

Coliseum Central Overlay District).

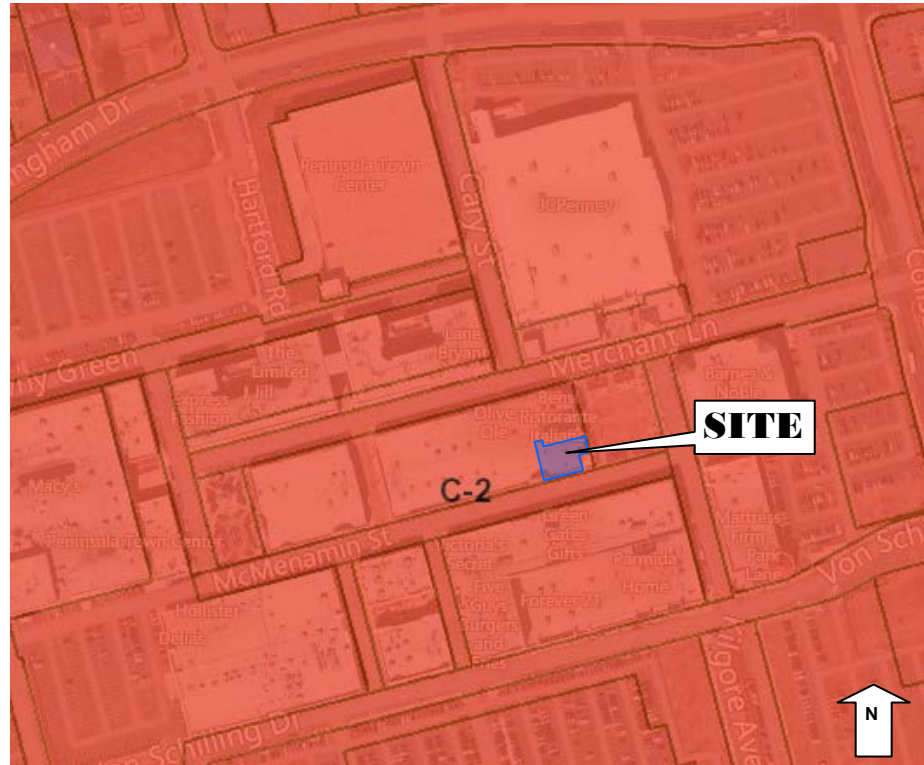
*Surrounding Land Use
and Zoning*

North: C-2, SPI-CC, Multi-family Residential

South: C-2, SPI-CC, Office

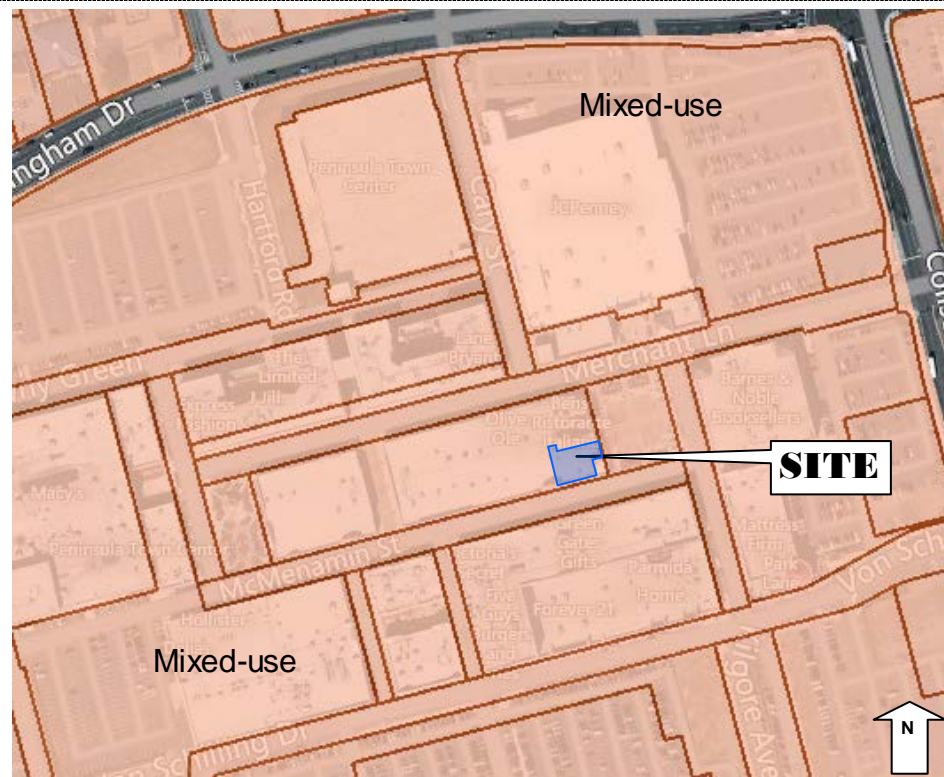
East: C-2, SPI-CC

West: C-2, SPI-CC



Public Policy

The Hampton Community Plan (2006, as amended) recommends mixed-use for this property and adjacent properties in the Peninsula Town Center. The Coliseum Central Master Plan (2004) recommends regional and auto-oriented uses for this area.



The Community Plan establishes a vision "To Make Hampton the Most Livable City in Virginia." One of the eight "key vision qualities" for the Plan is a Healthy Business Climate, and a primary goal to achieving this is that Hampton will be a unique regional retail and entertainment destination.

Objectives and policies supporting this vision include:

LU-CD Policy 6: Support the City's economic development priorities: high wage jobs in targeted industry segments; regional retail and entertainment destination; first retail choice for Hampton residents; tourism destination and higher value housing.

ED Policy 4: Nurture small and start-up businesses.

ED Policy 6: Expand tourism, entertainment, and cultural opportunities within the city.

The Coliseum Central Master Plan (2004) calls for the Coliseum Drive North area (where Peninsula Town Center is located) to provide community- and neighborhood-serving retail alongside regional retail and auto-oriented uses located around the interstate. It is further recommended that a mix of commercial development that is regionally-unique as well as locally-serving be pursued.

Zoning History

Previously, under different ownership and management, this site was operated as Terra Restaurant and Bar, and granted Conditional Privilege #116-2011 for live entertainment. The conditional privilege became null six months following the closing of the restaurant, which ceased operations on May 6, 2012.

<i>Applicable Regulations</i>	The C-2 district allows for live entertainment 2 subject to securing a Use Permit. The purpose of this Use Permit is to identify the operational characteristics of the proposal and establish the conditions under which the facility will be operated. This action is necessary to ensure the safety and welfare of the public as well as minimize project impacts on the adjoining properties.
<i>Traffic/Parking</i>	Because this proposal does not increase capacity at the restaurant, this use will not significantly impact traffic on Mercury Boulevard, Coliseum Drive, or other nearby roads. The restaurant is part of the Peninsula Town Center development which aggregates parking facilitates for all tenants, and provides more than enough parking for the entire development and this use.
<i>Schools</i>	This proposal does not impact city schools.
<i>Environmental</i>	Because no physical changes are proposed for the building, newly created environmental impacts are not anticipated.
<i>Community Meeting</i>	At this time, no community meeting has been scheduled.

Analysis

Avenue Blue Piano Bar is located at 2330 McMenamin Street, in the heart of Peninsula Town Center. The applicant is requesting a live entertainment 2 use permit. Live entertainment will feature a baby grand piano, and also include vocalists, jazz bands, and blues bands. Performance space is only proposed to be indoors. The City of Hampton's Zoning Ordinance allows for live entertainment 2 in Limited Commercial (C-2) Districts with the approval of a use permit. The restaurant is also located in the Special Public Interest – Coliseum Central (SPI-CC) Overlay District.

Staff recommends permitted live entertainment operating hours be from 11:00 AM to 10:00 PM Sunday-Thursday and 11:00 AM – 2:00 AM Friday-Saturday. These hours are in accordance with use permits previously recommended by city staff and issued for similar establishments (see Table 1 below). Prior to Avenue Blue Piano Bar, a restaurant and bar occupied 2330 McMenamin Street, and was granted a live entertainment permit for slightly more extensive operating hours.

The nearest residences are the Chapman Apartments located above retail stores between Merchant Lane and Downey Green. Live entertainment is limited to indoors only, so there is no expectation that there will be ambient noise concerns for residents or other surrounding tenants.

Peninsula Town Center was created as one large development with shared parking, and there is more than enough existing parking to accommodate this use permit. Because no physical changes to the building are proposed, impact on traffic is anticipated to be minimal.

The proposed live entertainment 2 use permit for Avenue Blue Piano Bar is consistent with the Hampton Community Plan (2006 as amended), which has a goal to make Hampton a unique regional retail and entertainment destination and recommends nurturing small and start-up businesses. The Coliseum Central Master Plan (2004) further recommends Coliseum Central as an area in which to concentrate commercial activity. Additionally, live entertainment 2 use permits in similar locations and with similar facilities have been previously approved by City Council.

If this application is approved, staff recommends attaching conditions that will limit the impact of the use on neighbors. These conditions address aspects of the operation of the live entertainment including hours of operation, location of live entertainment, and noise/ sound.

Staff recommends approval of Use Permit Application #15-00002 with 12 conditions.

Table 1: Recently Considered Applications for Live Entertainment						
Establishment	Adjacent to Single Family	Adjacent to Multi Family	Hours of Live Entertainment	Capacity	Decision	Indoor/ Outdoor
Avenue Blue Piano Bar	No	No	10:00 PM Sun-Thurs 2:00 AM Fri-Sat	168		Indoor
Peninsula Soul Food & Sports Bar	Yes	No	11:00PM Sun – Thurs. 1:00AM Fri - Sat		Approved	Indoor
Stillwater Tavern (UP 14-00017)	No	No	12:00AM Sun. – Thurs. 2:00AM Fri. - Sat	80	Approved	Indoor
Grandview Island Grill (UP 14-00009)	Yes	No	Indoor: 12:00PM - 10:00PM Sun – Sat Outdoor: 4:00PM - 8:00PM Fri & Sat	134	Approved	Indoor/ Outdoor
The Point (UP 1091-2013)	No	No	12:00AM Sun-Thurs 2:00AM Friday - Sat	80	Approved	Indoor
Applebee's (CP 139-2013)	No	No	12:00AM Sun. – Thurs. 1:00AM Fri.- Sat.	165	Approved	Indoor
An Event to Remember (CP 136-2013)	No	No	11:00PM Sun.-Thurs. 12:00AM Fri. - 1:00 AM Sat.	189	Approved	Indoor
The Turtle (CP 130-2012)	Yes	No	12:00AM Sun.-Thurs. 1:00AM Fri.-Sat.	105	Approved	Indoor
Bar Louie (CP-129-2012)	No	Yes	11:00 PM Sun.-Tues. 2:00 AM Wed.-Sat.	248	Approved	Indoor

The Jewish Mother (CP 128-2012)	No	No	12:00AM weekdays 2:00AM weekends	80	Approved	Indoor
Mirro'z (CP 120-2011)	Yes	No	11:00 PM weekdays 1:00 AM weekends	240	Approved	Indoor
Terra (CP 116-2011) 2320 McMenamin Street	No	Yes	11PM Sun.-Tues. 2:00AM Wed.-Sat.	160	Approved	Indoor/ Outdoor
Queens Way Soul Café (CP 112)	No	Yes	12:00 AM weekdays 2:00 AM weekends	148	Approved	Indoor

Use Permit Application No. 15-00002

Avenue Blue Piano Bar, LLC: Live Entertainment II
2330 McMenamin Street, Hampton, VA 23666

1. Issuance of Permit

The Use Permit applies only to 2330 McMenamin Street [LRSN 13002022] and is not transferable to another location.

2. Location of Live Entertainment

Live Entertainment may be conducted inside the building only. Live Entertainment shall be limited to the 117 square foot area indicated on the attached floor plan and identified as "Performance Space," attached hereto as Exhibit A. The set up and use of any equipment shall not interfere with required clear space for safe exit in the case of emergency, per the Uniform Statewide Building Code and/or the Statewide Fire Prevention Code.

3. Hours of Operation

The hours of operation for live entertainment shall be limited to the following:

- Sunday-Thursday: 11:00 AM to 10:00 PM
- Friday-Saturday: 11:00 AM to 2:00 AM

4. Capacity

During the time that live entertainment is being provided, patronage and staff shall not exceed the maximum capacity determined by a City building official.

5. Sound

Live entertainment located at 2330 McMenamin Street shall comply with City Code section 22-9 with respect to any sound or noise.

6. Staffing

Sufficient staff shall be provided to monitor patron behavior upon their exit of the building into the surrounding areas.

7. Licensing and Compliance with all Laws

When required by law, the restaurant must maintain a valid license from the Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions or requirements imposed by VABC. In addition, this Use Permit may be terminated for any violation of federal, state, or local law.

8. Dancing

The property owner shall comply with section 4-16 of the Hampton City Code with respect to dancing on the premises and dance floor area.

9. Third Party Promoters

Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility.

10. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

11. Nullification

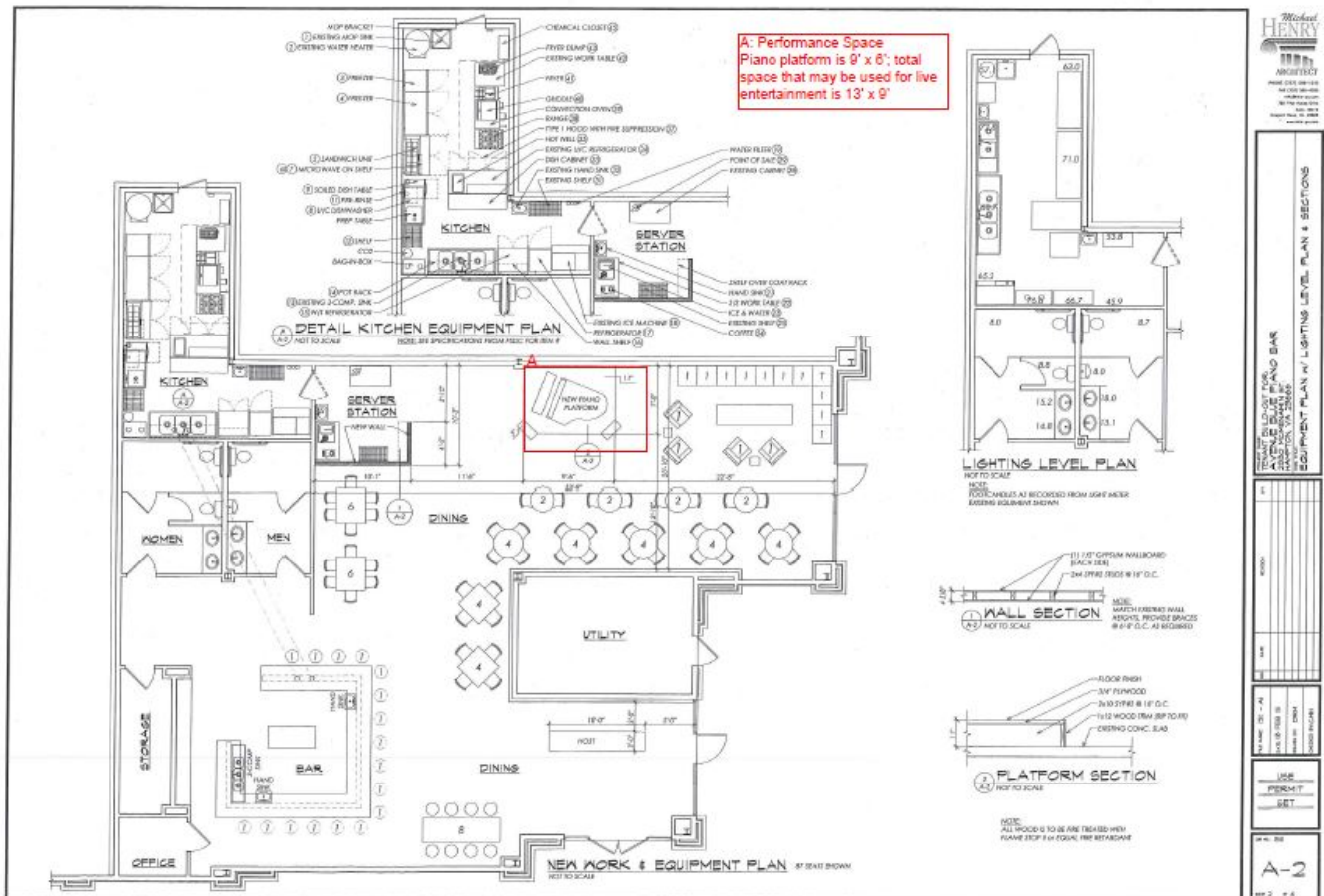
- a. The Use Permit shall become null and void if the use is not established within twelve months of the date of approval by the City Council.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of two years.

12. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the

zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.

Exhibit A:



Use Permit # 15-00002

2330 McMenamin Street
Avenue Blue Piano Bar, LLC



Hampton
VIRGINIA

Hampton Planning Commission

April 2, 2015

Application

Use Permit for live entertainment 2
in a restaurant



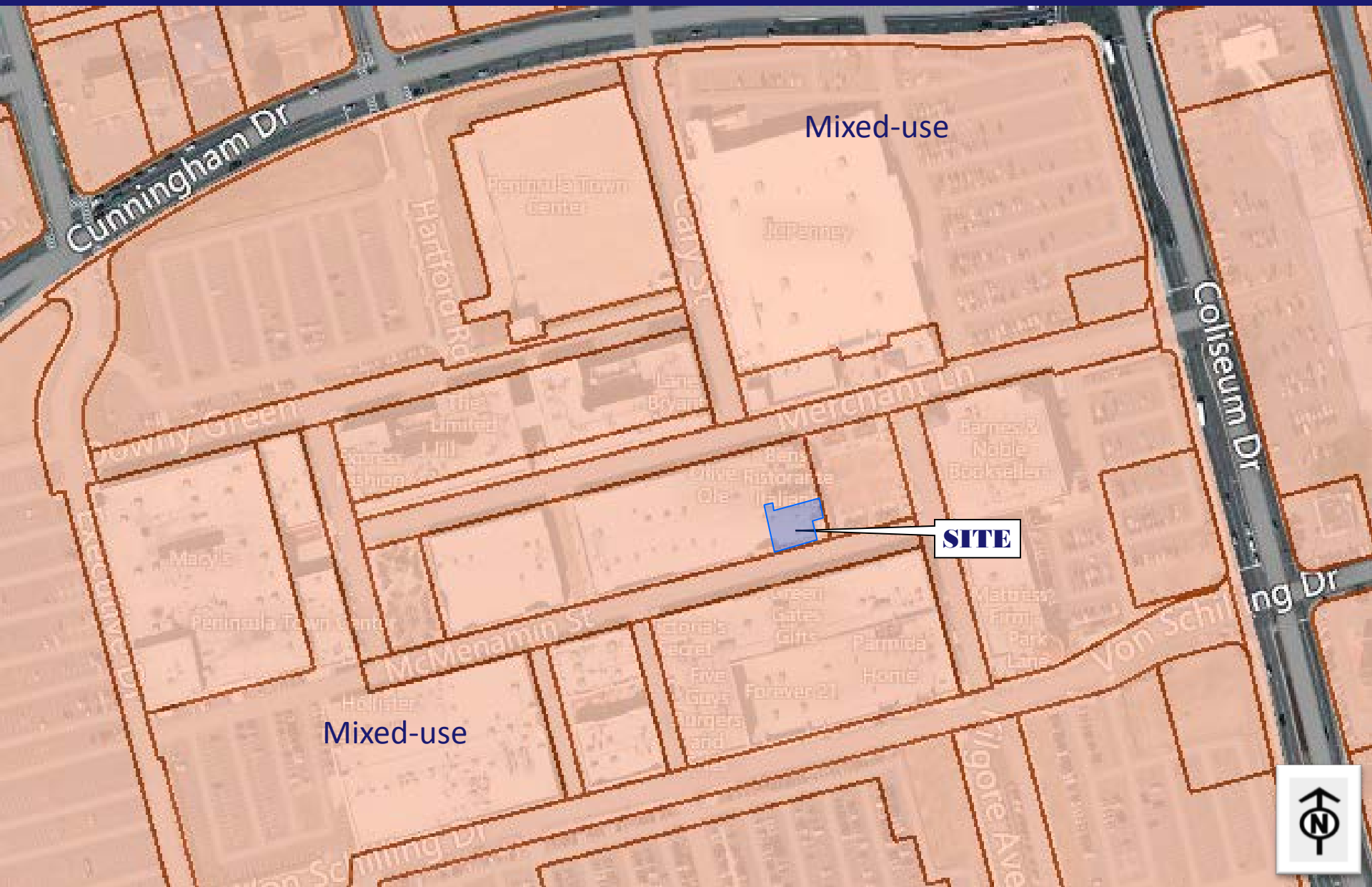
Site Location



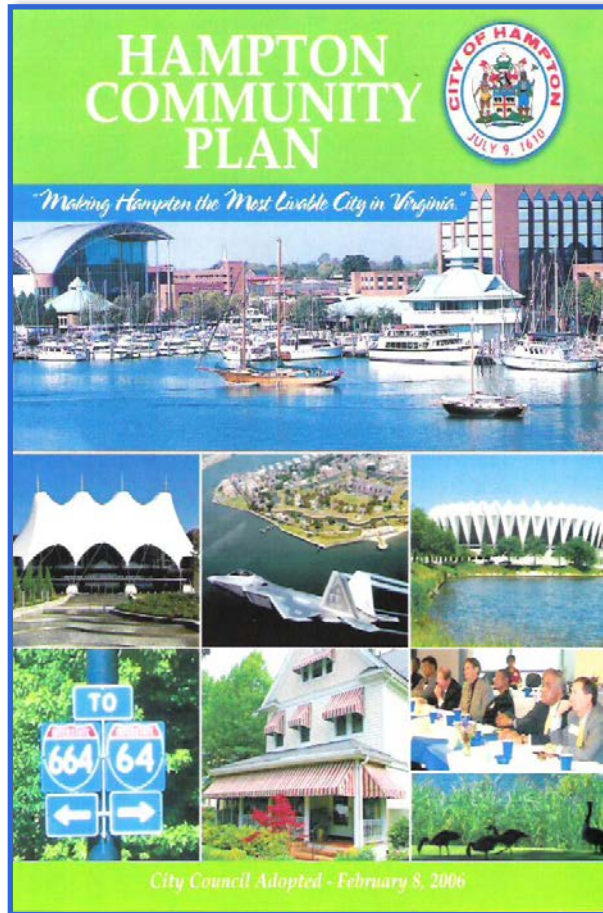
Zoning



Land Use



Public Policy



“Hampton will be a unique regional retail and entertainment destination”

- ✦ Support the City’s economic development priorities.
- ✦ Nurture small and start-up businesses.
- ✦ Expand tourism, entertainment, and cultural opportunities within the city.

Hampton Community Plan (2006, as amended).

Conditions

- ✦ Hours

- ✦ Location of Live Entertainment

- ✦ Sound

- ✦ Revocation



Recommendation

Staff recommends approval of
Use Permit # 15-00002 with 12 conditions

AGENDA REVIEW

ITEM NO: UP 15-00004

DATE: 4/2/2015

PREPARED BY: Mike Hayes, AICP

Phone# 728-5244

REVIEWED BY: Keith Cannady, AICP

Phone# 728-5239

REVIEWED BY: Sharon McSmith, CAP

Phone# 728-5240

SUBJECT: Use Permit Application No. 15-00004: by St. George's Brewery and Jotom Investors, LLC. for live entertainment 2 at 204 Challenger Way [LRSN 6001158].

ACTION REQUESTED OF COMMISISON: Recommend approval of Use Permit No. 15-00004 with twelve (12) conditions.

BRIEF BACKGROUND STATEMENT:

This is a request for a use permit for indoor live entertainment in conjunction with an existing micro-brewery. The property is located at 204 Challenger Way and is zoned Limited Manufacturing District (M-1), which allows live entertainment with a use permit. This request follows an amendment to the zoning ordinance in 2014 to permit live entertainment 2 at micro-breweries with an approved use permit.

The Hampton Community Plan (2006, as amended) recommends business/industrial uses in this area. The Plan also establishes policies that support expanding entertainment opportunities as well as supporting small and start-up businesses. St. George's is Hampton's sole micro-brewery, and approval of this application would permit them to provide an entertainment opportunity unique within the city.

If this application is approved, staff recommends attaching conditions that address aspects of the operation of the live entertainment that include hours of operation, location of live entertainment, and noise/sound.

Staff recommends approval of Use Permit Application #15-00004 with 12 conditions.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:

Application, Staff Report, PowerPoint presentation

DATES ADVERTISED: Planning Commission: March 19, 2015 and March 26, 2015

CONDITIONS ATTACHED: x Yes No



Application for
Use Permit

Complete this application in its entirety and submit pages 4 and 5 along with the required materials (including any required supplements) as listed on page 2 to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

OFFICE USE ONLY
Date Received:

RECEIVED

FEB 19 2015

PLANNING DEPT.

Case Number: UP 15-00004

1. PROPERTY INFORMATION

Address or Location 200/204 Challenger Way

LRSN 6001158 Zoning District M-1

Current Land Use Micro brewery with Taproom

Proposed Land Use Micro brewery with Taproom and Entertainment Area

The proposed use will be in: ☒ an existing building ☐ a new addition ☐ a new building

2. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner's Name Jotom Investors, LLC

Address P.O. Box 2534 City Suffolk State VA Zip 23432

Phone 757-255-0846 Email spencewt@gmail.com

3. APPLICANT INFORMATION (if different from owner)

Applicant's Name B.A. Brewmaster, Inc DBA St George Brewing Company

Address 204 Challenger way City Hampton State VA Zip 23666

Phone 757-865-7781 Email wspence@stgbeer.com

4. APPLICANT AGENT INFORMATION (if different from applicant)

Agent's Name _____

Address _____ City _____ State _____ Zip _____

Phone _____ Email _____

5. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is **not** an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 2 above.

"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity Satom Investors, LLC

Signed by:

Name (printed) William T. Spence, Its (title) President

Signature [Signature] Date 16 Feb 2015

Name (printed) _____, Its (title) _____

Signature _____ Date _____

Name (printed) _____, Its (title) _____

Signature _____ Date _____

6. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed) _____

Signature _____ Date _____

Name (printed) _____

Signature _____ Date _____

OFFICE USE ONLY

☐ Application Form

☐ Narrative Statement

☐ Supplemental Form (if required)

☐ Application Fee

☐ Survey Plat

☐ Additional materials (if required)



Supplemental Information for
Live Entertainment '2'

Complete this supplement in its entirety and submit with the completed Use Permit application form to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

OFFICE USE ONLY
Date Received:
RECEIVED
FEB 19 2015
PLANNING DEPT.
Case Number: UP 15-00094

1. LOT INFORMATION

Current Number of On-site Parking Spaces 16 Proposed Number of On-site Parking Spaces _____
plus 25 on gravel

2. BUILDING INFORMATION

Square Footage 9689 Square Footage of Live Entertainment Area Approx 3 acres
204/200 Challenger Way

☒ Please attach a floor plan of the facility with all rooms labeled as to their use and square footage and showing the location of the live entertainment area

3. OPERATIONAL INFORMATION

Existing Use Microbrewery with Taproom Proposed Use Microbrewery with Taproom + Entertainment Area
Proposed Type(s) of Entertainment to be Offered See Attached

Equipment Required for Type(s) of Entertainment to be Offered Provided by event

Seating Capacity _____ Length of Ownership of this Business 14 years

Existing Hours of Operation: Mon _____ Tue 4-8 PM Wed _____
Thu _____ Fri 4-8 PM Sat 12-5 PM Sun _____

Proposed Hours of Operation: Mon 4-9 PM Tue 4-9 PM Wed 4-9 PM
Thu 4-9 PM Fri 4-10 PM Sat 12-10 PM Sun 12-6 PM

Exhibition entertainment

Art exhibits
Trade shows
Travelling exhibition

Live entertainment

Busking
Street theatre
Circus
Concerts
Dance
Fireworks
Magic
Musical theatre
Operas
Parades
Performance art
Puppet shows
Stand-up comedy
Theatre
Plays
Drama
Variety show
Vaudeville

Mass media entertainment industry

Live Entertainment
Musical theatre
Performance art
Comedy
Film
Acting
Broadcasting
Television
Television programs
Reality television
Radio

Radio programs

Podcast

Music industry

Composers and songwriters

Singers and musicians

Orchestras

Karaokes

New media

Web television (e.g. YouTube)

Fashion industry

Modeling

Video games

Electronic entertainment

Video Game

SMS content

St. George Brewing Co.

February 23, 2015

We are requesting a Live Entertainment 2 Permit. This permit will be used to extend more enjoyment to our guest. Most other breweries in the Hampton Roads market already have the ability to have entertainment. Thus, this will give us an opportunity to provide more and just a tour of our facility...more of an atmosphere for our guest. Lastly, we will be using mostly local entertainment to help spread the word of all of the areas great talents. Locals enjoying local!

MAG. NORTH



FEMA FLOOD ZONE - "C"
PANEL # 515527-0002-C
7/19/84

WYTHE CREEK PARK
HAMPTON, VIRGINIA

PLAT OF LOT: 2
PROPERTY OF: PATRICK LAB

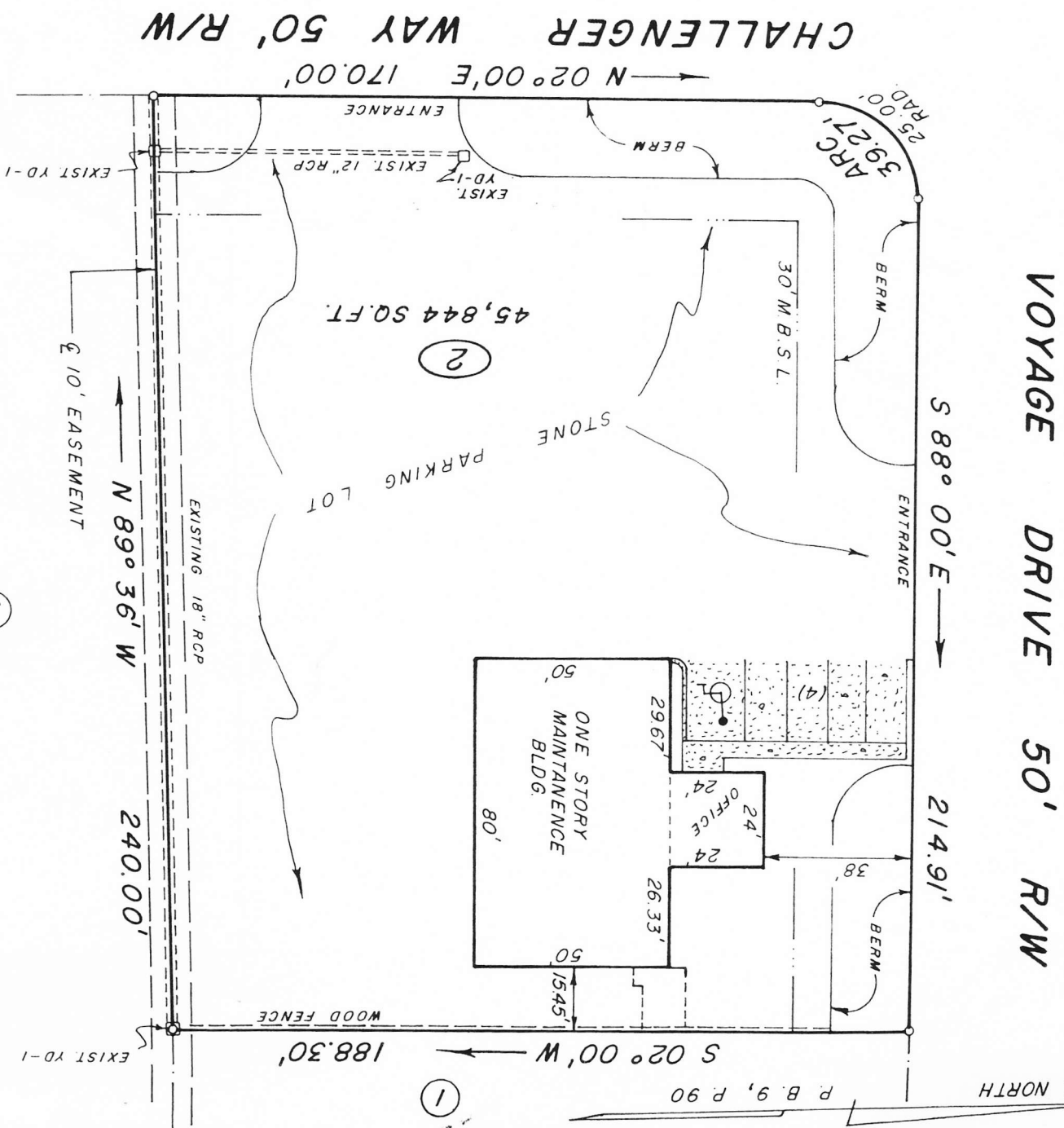
204 CHALLENGER WAY

SCALE: 1" = 40'

RECORDED: P. B. 9, P. 90

SUBJECT TO UTILITY EASEMENTS OF RECORD

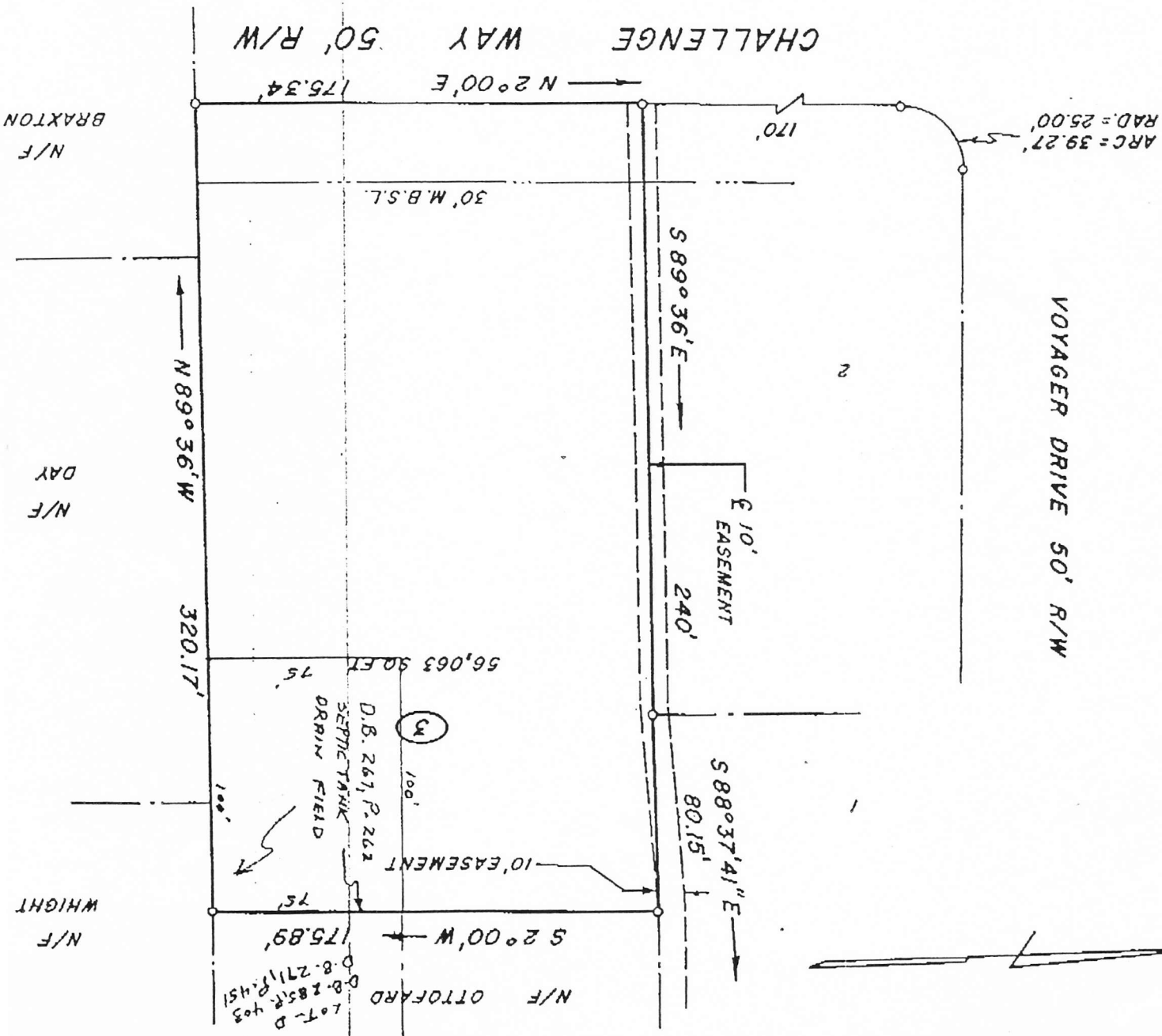
JOHNSON, BAIRD & ASSOCIATES
CIVIL ENGINEERING & LAND SURVEYING
HAMPTON, VIRGINIA - 23669-3645



3

Recorded: P.B. 9, P. 90
Scale: 1"=60'

Plat of Lot: 3
WYTHE CREEK PARK
HAMPTON, VIRGINIA



N20943

Use Permit Application No. 15-00009

St. George Brewing Company: Live Entertainment II
204 Challenger Way, Hampton, VA 23666

1. Issuance of Permit

The Use Permit applies only to 204 Challenger Way [LRSN 6001158] and is not transferable to another location.

2. Location of Live Entertainment

Live Entertainment may be conducted inside the building only. Live Entertainment shall be limited to area indicated on the attached floor plan and identified as "Temp Stage," attached hereto as Exhibit A. The set up and use of any equipment shall not interfere with required clear space for safe exit in the case of emergency, per the Uniform Statewide Building Code and/or the Statewide Fire Prevention Code.

3. Hours of Operation

The hours of operation for live entertainment shall be limited to the following:

- Monday-Thursday: 4:00 PM to 9:00 PM
- Friday: 4:00 PM to 10:00 PM
- Saturday: Noon to 10:00 PM
- Sunday: Noon to 9:00 PM

4. Capacity

During the time that live entertainment is being provided, patronage and staff shall not exceed the maximum capacity determined by a City building official and meet all zoning ordinance requirements related to capacity.

5. Sound

Live entertainment located at 204 Challenger Way shall comply with City Code section 22-9 with respect to any sound or noise.

6. Staffing

Sufficient staff shall be provided to monitor patron behavior upon their exit of the building into the surrounding areas.

7. Licensing and Compliance with all Laws

When required by law, the restaurant must maintain a valid license from the Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions or requirements imposed by VABC. In addition, this Use Permit may be terminated for

any violation of federal, state, or local law.

8. Dancing

The property owner shall comply with section 4-16 of the Hampton City Code with respect to dancing on the premises and dance floor area.

9. Third Party Promoters

Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility.

10. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

11. Nullification

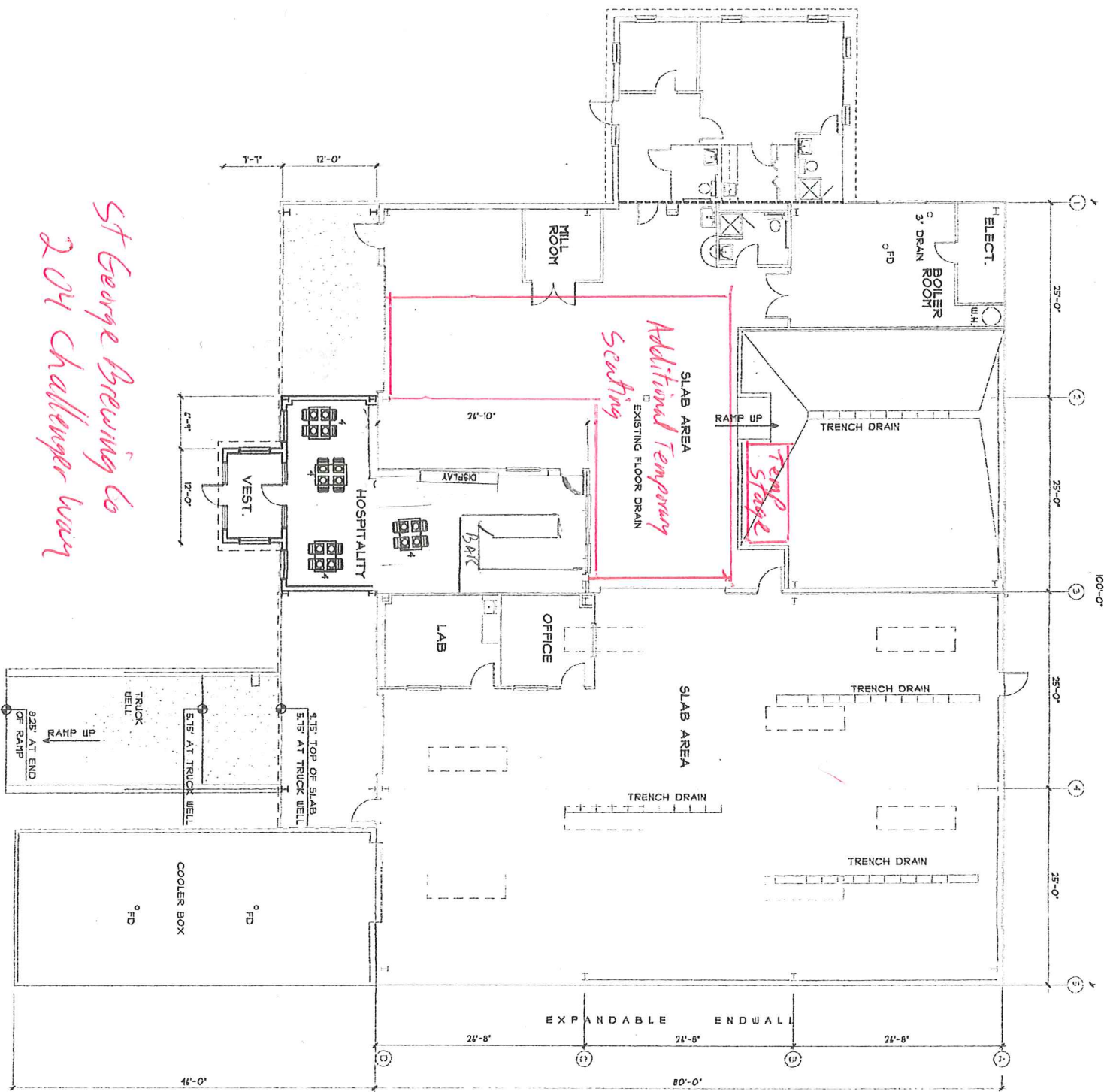
- a. The Use Permit shall become null and void if the use is not established within twelve months of the date of approval by the City Council.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of two years.

12. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause

public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.

Exhibit A



*St George Brewing Co
204 Challenger Way*

St George Brewing Company

Voyager Dr

Grass Area
approx 5,625 sq ft

Lot 2

204/200 Challenger way

Grass Field

Trailer
Trailer

Gravel Parking

Lot 3



STAFF EVALUATION

To: Planning Commission

Prepared By: Mike Hayes, AICP

728-5244

Reviewed By: Keith Cannady, AICP

728-5239

Sharon McSmith, CAP

728-5240

Case No.: Use Permit Application No. 15-00004

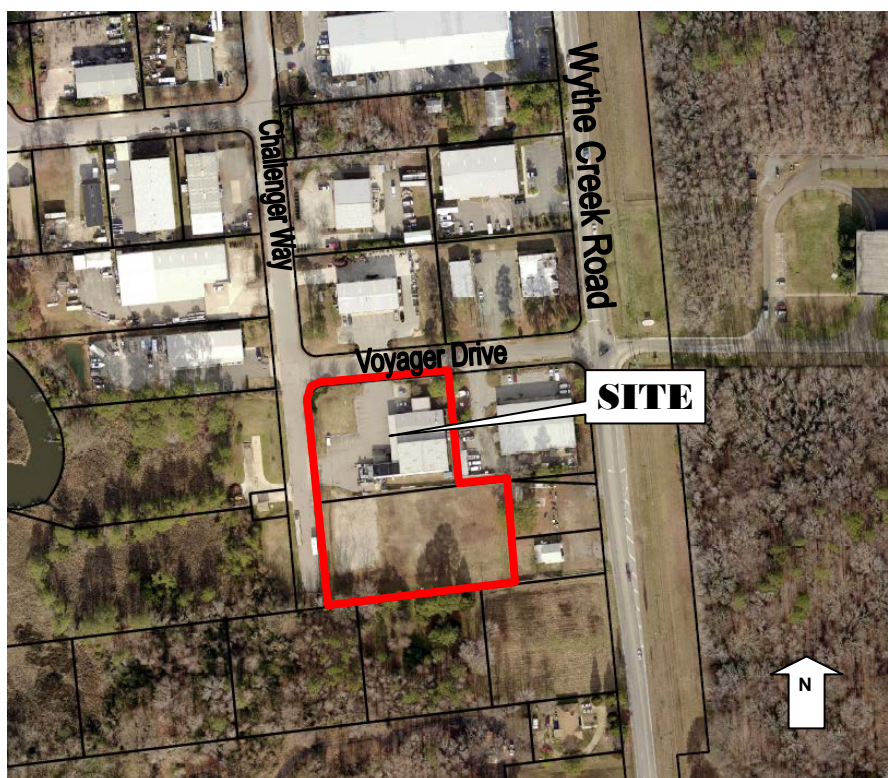
Date: 4/2/2015

General Information

Applicant St. George Brewing Company

Owner Jotom Investors, LLC

Location 204 Challegrner Way. (LRSN: 6001158)



Requested Action Use Permit to allow for indoor live entertainment 2 at a brewery with a capacity greater than fifty (50) people.

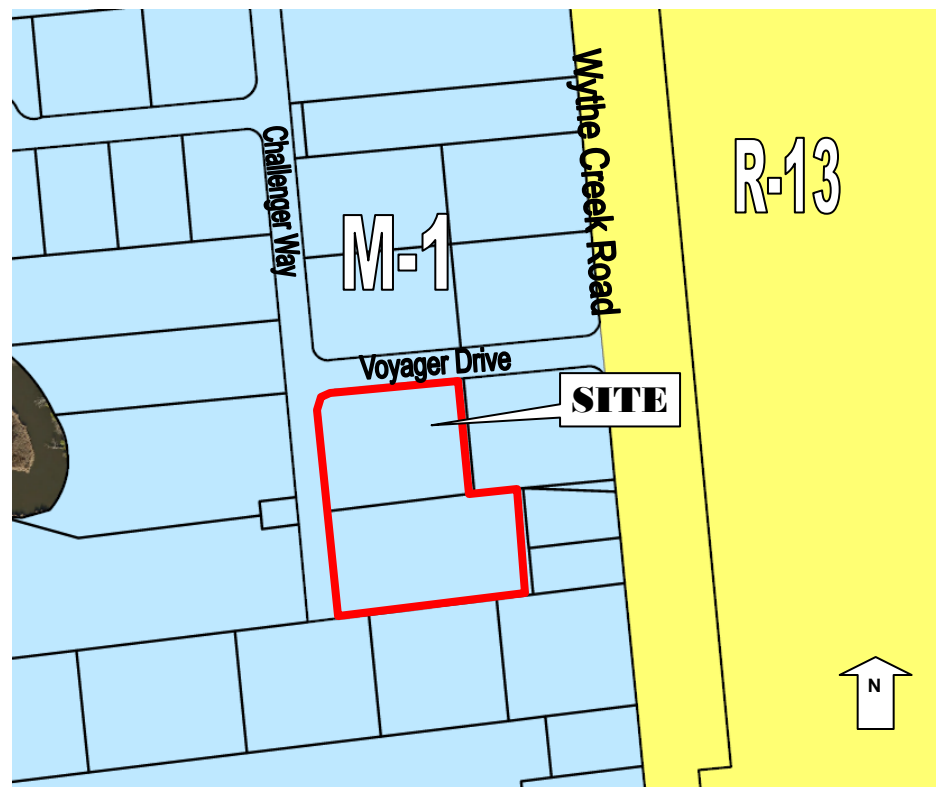
Description of Proposal The applicant is proposing to provide live entertainment inside the brewery. The request is to provide live entertainment in the evening through the week and from midday through the evening on Saturdays and Sundays.

Existing Land Use Micro-Brewery

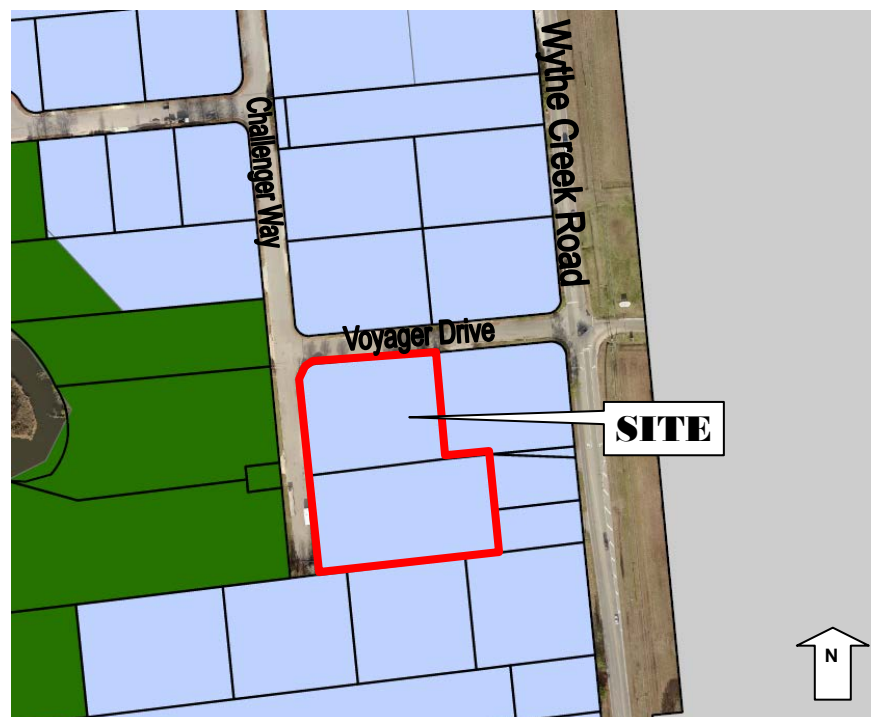
Zoning M-1 (Limited Manufacturing District) and SPI-CBPD (Special Public Interest – Chesapeake Bay Preservation District)

*Surrounding Land Use
and Zoning*

North: M-1, Business/Industrial Park
South: M-1, Vacant Land/Wetlands
East: M-1, Business/Industrial Park
West: M-1, Pump Station

*Public Policy*

The Hampton Community Plan (2006, as amended) recommends business industrial in this area.



The Community Plan establishes a vision "To Make Hampton the Most Livable City in Virginia." One of the eight "key vision qualities" for the Plan is a Healthy Business Climate, and a primary goal to achieving this is that Hampton will be a unique regional retail and entertainment destination.

Objectives and policies supporting this vision include:

ED Policy 4: Nurture small and start-up businesses.

ED Policy 6: Expand tourism, entertainment, and cultural opportunities within the city.

<i>Zoning History</i>	In July 2014, City Council adopted an amendment to the zoning ordinance to uses permitted in the M-1 District, which permits live entertainment 2 in conjunction with a micro-brewer with an approved use permit.
<i>Applicable Regulations</i>	The C-2 district allows for live entertainment 2 subject to securing a Use Permit. The purpose of this Use Permit is to identify the operational characteristics of the proposal and establish the conditions under which the facility will be operated. This action is necessary to ensure the safety and welfare of the public as well as minimize project impacts on the adjoining properties.
<i>Traffic/Parking</i>	Since, the proposed live entertainment use generates a higher number of patrons than the typical business as a micro-brewery, staff carefully reviewed the available parking on site and has included a condition to assure the required balance of parking and occupancy are maintained. Additionally, the applicant requests hours that largely occur after normal business hours, with no entertainment occurring before 4:00 PM on weekdays.
<i>Environmental</i>	Because no physical changes are proposed for the building, newly created environmental impacts are not anticipated.
<i>Community Meeting</i>	At this time, no community meeting has been scheduled.

Analysis

In July of 2014, City Council adopted a zoning ordinance amendment to permit live entertainment 1 and 2 at micro-breweries. The basic distinguishing factors between live entertainment 1 and 2 are that live entertainment 1 restricts capacity to 50 or fewer patrons, the entertainment to indoors, and shows to end by 10:00 PM Sunday through Thursday and by 11:59 PM Friday and Saturday. In order to exceed any of these restrictions, a use permit for live entertainment two must be granted.

St. George's is the only micro-brewery in Hampton and as such, the first to request live entertainment 2. The reason live entertainment 2 is sought is to have a capacity exceeding 50 persons. The entertainment will be indoors, and the hours of operation will not exceed those for live entertainment 1.

As was noted during the adoption of the zoning ordinance amendment, micro-breweries have grown in popularity nationally as well as locally. In many instances, these micro-breweries are not only places of manufacturing but also serve as the occasional place for entertainment.

The proposed live entertainment 2 use permit for St. George's Brewery is consistent with the Hampton Community Plan (2006 as amended), which has a goal to make Hampton a unique regional retail and entertainment destination and recommends nurturing small and start-up businesses. Approving this use permit, helps St. George's keep pace with regional peers and provides a different type of entertainment venue for residents and visitors.

Staff recommends approval of Use Permit Application #15-00004 with 12 conditions.

**Use Permit Application No. 15-00009
St. George Brewing Company: Live Entertainment II
204 Challenger Way, Hampton, VA 23666**

1. Issuance of Permit

The Use Permit applies only to 204 Challenger Way [LRSN 6001158] and is not transferable to another location.

2. Location of Live Entertainment

Live Entertainment may be conducted inside the building only. Live Entertainment shall be limited to area indicated on the attached floor plan and identified as "Temp Stage," attached hereto as Exhibit A. The set up and use of any equipment shall not interfere with required clear space for safe exit in the case of emergency, per the Uniform Statewide Building Code and/or the Statewide Fire Prevention Code.

3. Hours of Operation

The hours of operation for live entertainment shall be limited to the following:

Monday-Thursday: 4:00 PM to 9:00 PM

Friday: 4:00 PM to 10:00 PM

Saturday: Noon to 10:00 PM

Sunday: Noon to 9:00 PM

4. Capacity

During the time that live entertainment is being provided, patronage and staff shall not exceed the maximum capacity determined by a City building official and meet all zoning ordinance requirements related to capacity.

5. Sound

Live entertainment located at 204 Challenger Way shall comply with City Code section 22-9 with respect to any sound or noise.

6. Staffing

Sufficient staff shall be provided to monitor patron behavior upon their exit of the building into the surrounding areas.

7. Licensing and Compliance with all Laws

When required by law, the restaurant must maintain a valid license from the Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions or requirements imposed by VABC. In addition, this Use Permit may be terminated for any violation of federal, state, or local law.

8. Dancing

The property owner shall comply with section 4-16 of the Hampton City Code with respect to dancing on the premises and dance floor area.

9. Third Party Promoters

Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility.

10. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

11. Nullification

- a. The Use Permit shall become null and void if the use is not established within twelve months of the date of approval by the City Council.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of two years.

12. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the

Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.

Use Permit # 15-00004

204 Challenger Way
Jotom Investors, LLC
St. George's Brewing Company



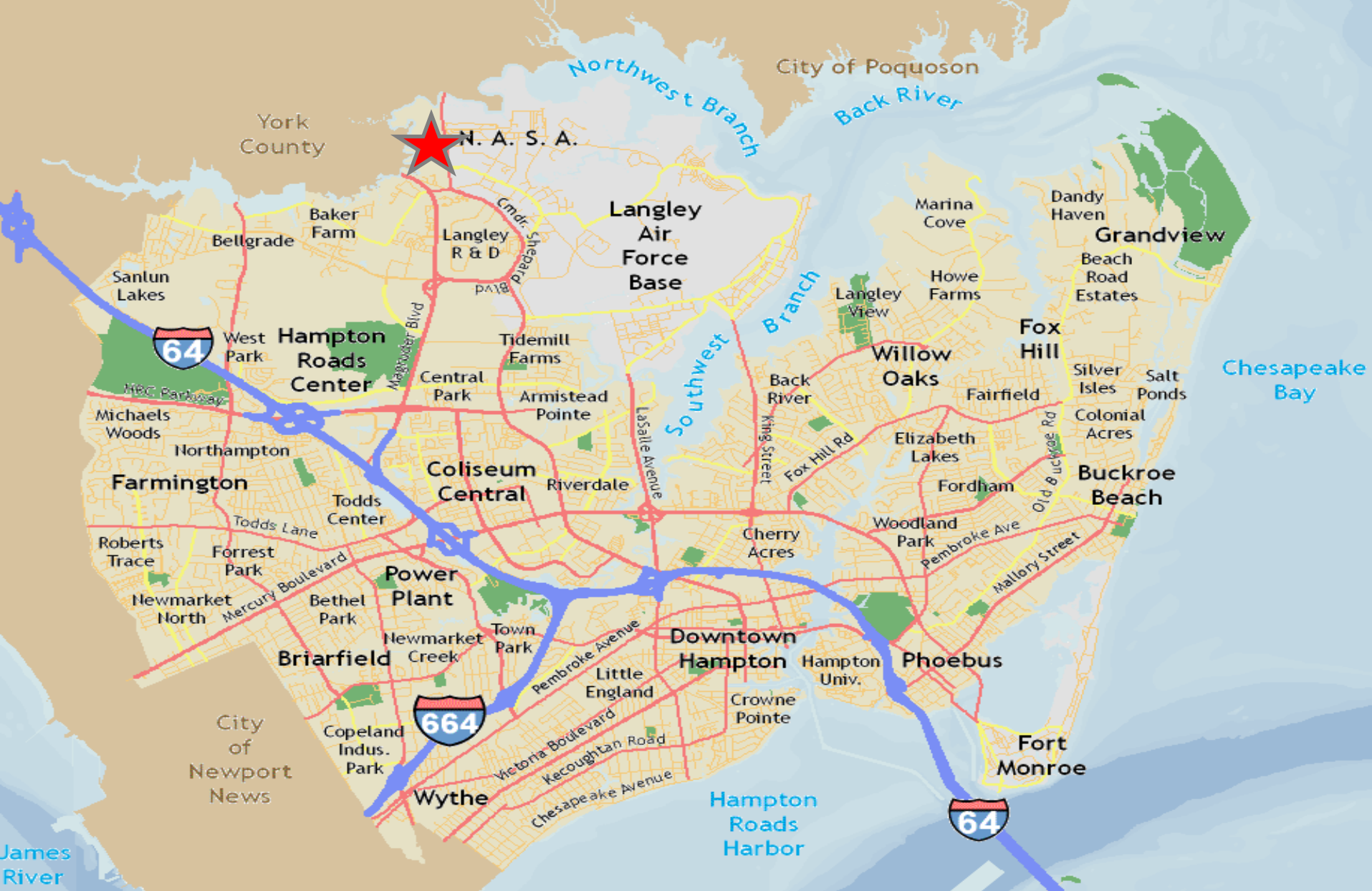
Hampton
VIRGINIA

Hampton Planning Commission

April 2, 2015

Application

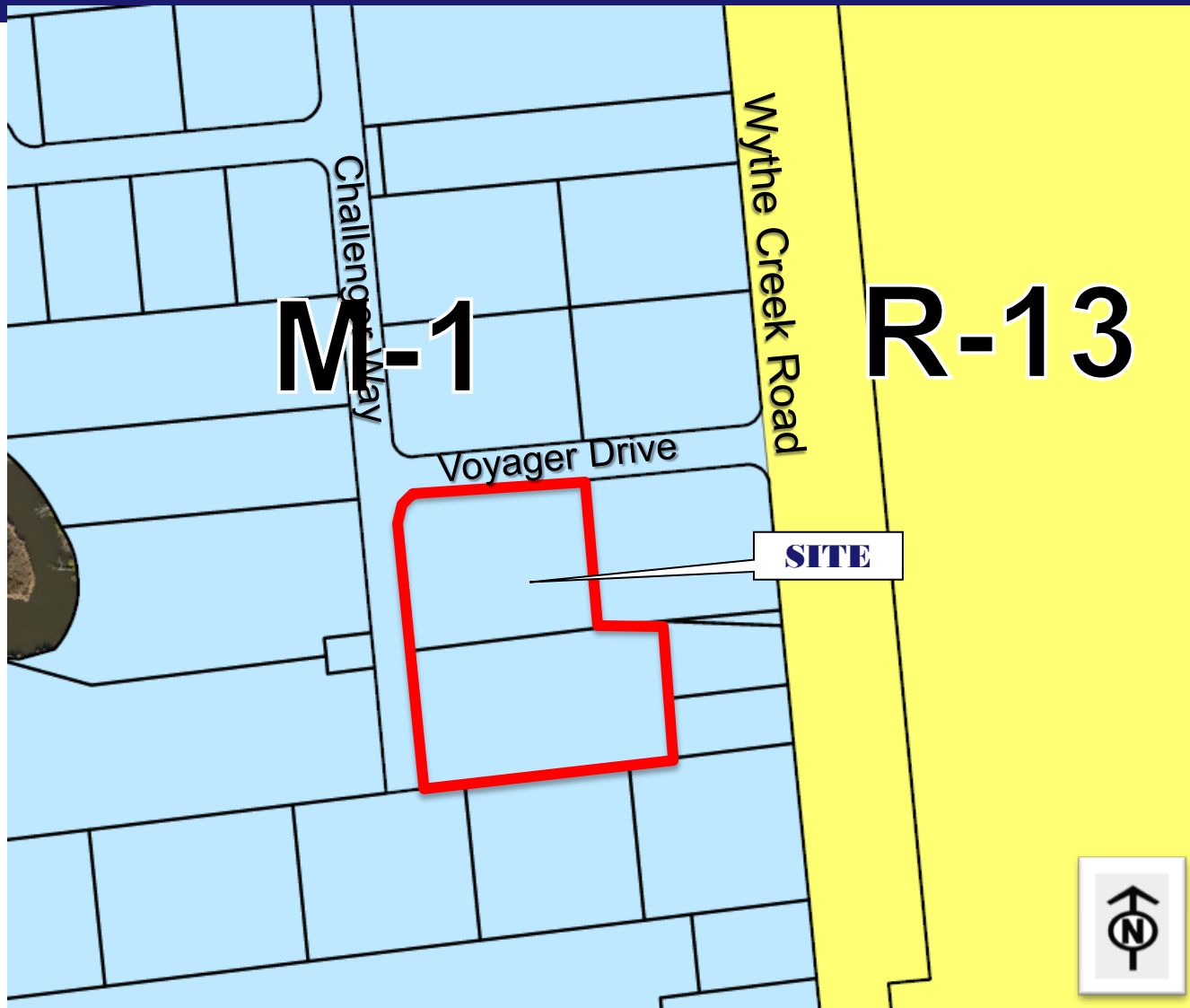
Use Permit for live entertainment 2
in a micro-brewery



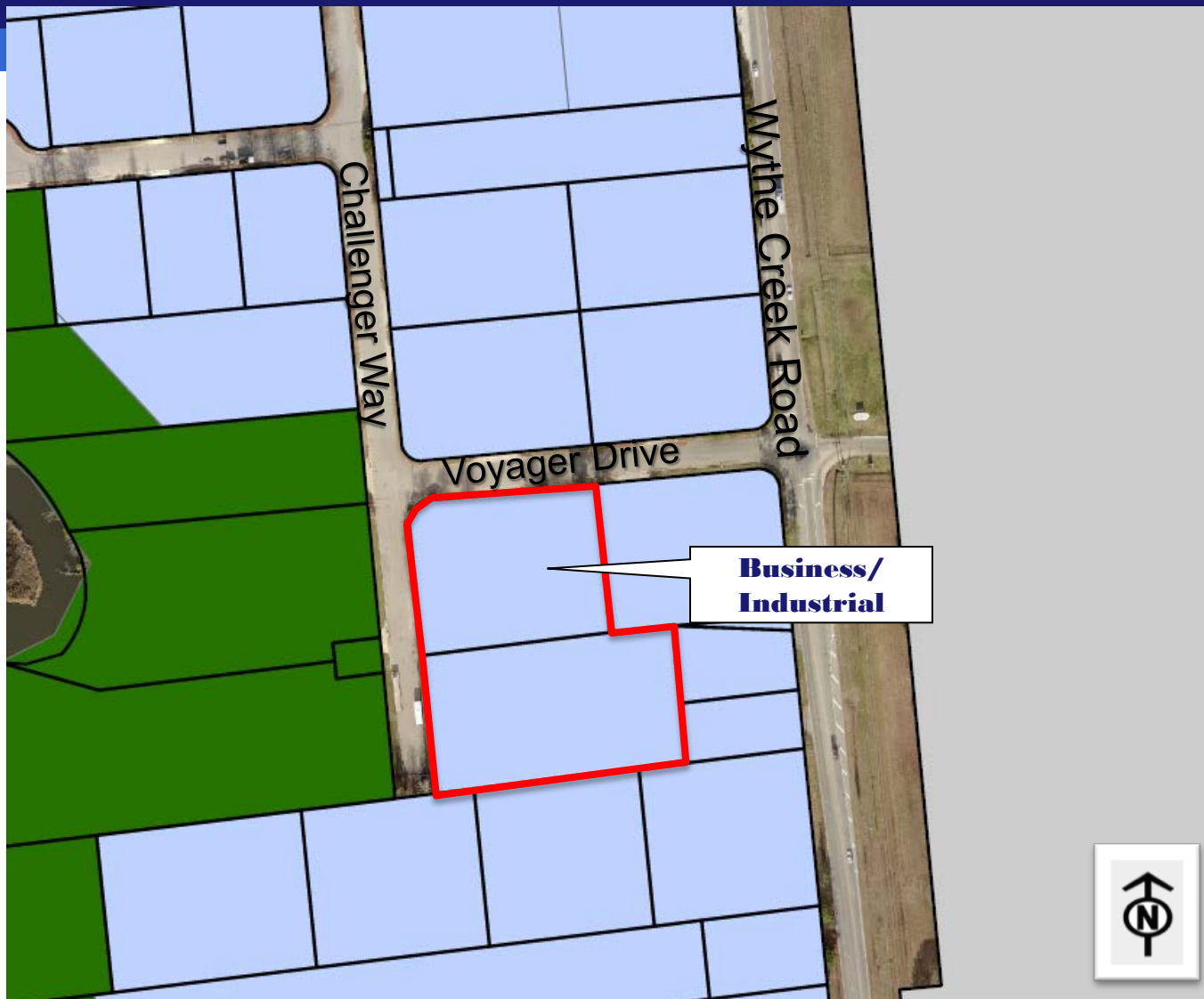
Site Location



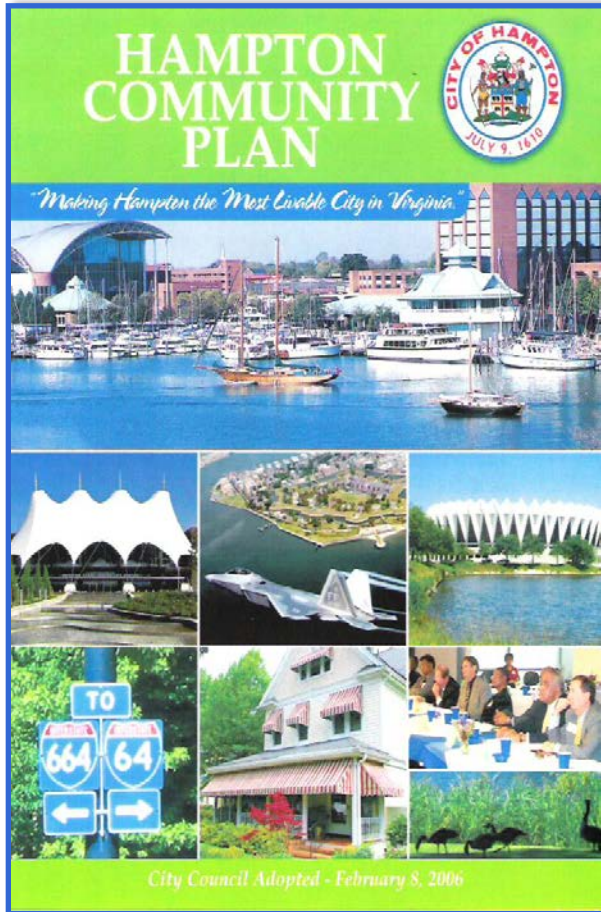
Zoning



Land Use



Public Policy



“Hampton will be a unique regional retail and entertainment destination”

- ✦ Nurture small and start-up businesses.
- ✦ Expand tourism, entertainment, and cultural opportunities within the city.

Hampton Community Plan (2006, as amended).

Conditions

- ✦ Hours

- ✦ Location of Live Entertainment

- ✦ Sound

- ✦ Revocation



Recommendation

Staff recommends approval of
Use Permit # 15-00004 with 12 conditions

AGENDA REVIEW

ITEM NO: ZOA 160-2015

DATE: 4/2/2015

PREPARED BY: Mike Hayes, AICP

Phone# 728-5244

REVIEWED BY: Keith Cannady, AICP

Phone# 728-5239

REVIEWED BY: Sharon McSmith, CAP

Phone# 728-5240

SUBJECT: Zoning Ordinance Amendment No. 160-2015: to amend and re-enact Article 3 of Chapter 10 of the Zoning Ordinance of Hampton, Virginia entitled "Special Regulations in Certain Zoning Districts" by amending section 10-11 pertaining to signage in the LFA-3 and HRC-1 districts.

ACTION REQUESTED OF COMMISSISON: Recommend approval of zoning ordinance amendment No. 160-2015.

BRIEF BACKGROUND STATEMENT:

The proposed zoning ordinance amendment involves making two types of changes to signs permitted in what are currently the Special Public Interest – Hampton Roads Center (SPI-HRC) and Langley Flight Approach – Mixed Use District (M5-A). These districts will become the Hampton Roads Center South (HRC-1) and Langley Flight Approach Hampton Roads Center (LFA-3) districts, respectively, upon the adoption of the reorganized zoning ordinance. Given the reorganization of the entire Zoning Ordinance, which is to take effect on June 1, staff recommends making the effective date of this amendment June 1 in order to limit any confusion or potential mistakes in its inclusion. With that in mind, staff has included the language for both the districts as currently defined and those that fit the reorganization. It is the version with the new references (HRC-1 and LFA-3) for which staff recommends approval.

Neither of the proposed changes to the signage regulations is a significant shift in policy. One set of changes is an effort to make the ordinance language more straightforward and easier to use. The second would permit more than one tenant to be represented on signage on major directional signage and increasing the permitted height of major directional signs by one foot from 4'6" to 5'6".

The HRC-1 and LFA-3 districts cover property within the Hampton Roads Center business park. The issue of permitting multiple tenants on signage was raised by the Virginia Peninsula Association of Realtors (VPAR) which owns a building and manages office space within the park. Planning and Zoning staff has vetted the proposed change with the Economic Development Department and VPAR. Economic Development assisted in communicating with the relevant boards in the park and notifying property owners of the proposed changes.

These proposed changes will make the park more attractive to future tenants and the business park easier to navigate.

Planning Commission should note that this package includes two sets of text changes. One shows how these changes would affect the language as it exists today. That is for your reference. The changes officially being requested take the form of the future organization, and those are the ones including the HRC-1 and LFA-3 zoning districts.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:

Application, Staff Report, PowerPoint presentation

DATES ADVERTISED: March 19, 2015 and March 26, 2015

CONDITIONS ATTACHED: ___ Yes X No

1 **Ordinance To Amend And Re-Enact Article 3 Of Chapter 10 Of The Zoning Ordinance Of**
2 **The City Of Hampton, Virginia Entitled “Special Regulations in Certain Zoning Districts”**
3 **By Amending Section 10-11 Pertaining To Signage in the LFA-3 and HRC-1 Districts.**

4 **ARTICLE 3 – SPECIAL REGULATIONS IN CERTAIN ZONING DISTRICTS**

5
6 **Sec. 10-11. – LFA-3 and HRC-1 Districts**

7
8 (1) Intent

9 This article provides the regulations governing signs in the Langley Flight
10 Approach—Hampton Roads Center (LFA-3) and Hampton Roads Center South
11 (HRC-1) Districts. All signs placed for exterior observance shall be regulated so
12 as to protect the property values and protect against inappropriate or hazardous
13 encroachment within the Hampton Roads Center business park.

14 (2) Prohibited signs

15 In addition to the prohibitions set forth in article 1 of this chapter, the following
16 signs shall be prohibited:

- 17 (a) Exterior identification signs containing information other than that
18 pertaining to a use conducted on the property.
19 (b) Signs painted on a building.
20 (c) Portable signs.
21 (d) Off-premises advertising signs.

22 (3) Permitted signs

23 ~~The following signs shall be permitted, as explained and illustrated:~~

- 24 (a) — ~~Each site with a multi-story building or with a one-story building with a~~
25 ~~single, main entrance shall be permitted~~ *the following, as explained and*
26 *illustrated:*
27 (i) ~~a) One (1) main identification sign with~~ *freestanding ground-mounted sign*
28 *with* dimensions of four (4) feet by six (6) feet, six (6) inches (4' x
29 6'6"). ~~The sign may include the building name and street address or the~~
30 ~~name and logo of the major tenant and street address. The sign shall~~
31 ~~be located at least~~ *set back* twenty-one (21) feet from the ~~proposed~~ right-
32 of-way and oriented perpendicular to the traffic flow. *See Figure A below.*
33 (ii) ~~b) Major directional signs, with dimensions of four (4)~~ *five (5)* feet, six (6)
34 inches by three (3) feet, six (6) inches (4'6" *5'6"* x 3'6"). The sign may
35 include tenant names or logos and addresses with directional arrows. The
36 signs shall be located ~~at intersections of drives within~~ *internal to* the site.
37 *See Figure B below.*
38 (iii) ~~c) Minor directional signs, with dimensions of two (2) feet by three (3) feet,~~
39 three (3) inches (2' x 3'3"). Information shall be limited to generic
40 directions, such as deliveries, exit, etc., with directional arrows. The signs
41 shall be located as necessary within the site. *See Figure C below.*
42 (iv) ~~d) Tenant door identification signs with dimensions of one (1) foot, three (3)~~
43 inches (1'3") square. The sign may include the tenant name or logo, and

shall be located adjacent to the entry door, four (4) inches from the door jam, with the top of the sign five (5) feet, eight (8) inches (5'8") from the finished floor. *See Figure D below.*

- (v)e) Wall signage shall be permitted on buildings with frontage on Magruder Boulevard, Hampton Roads Center Parkway, Enterprise Parkway, Butler Farm Road, and/or Interstate 64. Buildings may have a maximum of two (2) wall-mounted signs per qualifying frontage, not to exceed two (2) sides of the building. Permitted sign area shall be one (1) square foot per one (1) linear foot of building frontage, not to exceed a building total of one hundred fifty (150) square feet; if more than one (1) sign is used, the amount of sign area shall be divided between the signs. Said signs shall be proportionate to the building and located at the uppermost elevation of the building. Wall signage shall consist of only free-standing individual letters, figures, and/or characters. Track-mounting for said letters/characters shall be color coordinated to blend with background building material. Signs may be internally illuminated and/or back-lit with white light.

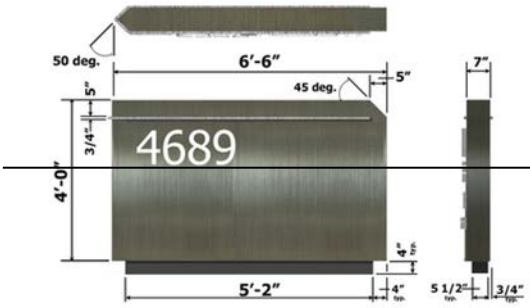
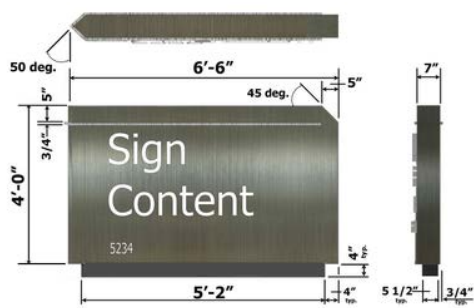
- ~~(b) Each site with a one (1) story, multiple entrance building shall be permitted the following:~~

- ~~(i) One (1) main identification sign with dimensions of four (4) feet by six (6) feet, six (6) inches (4' x 6'6"). The sign may include the building name and street address or the name and logo of the major tenant and street address. The sign shall be located at least twenty-one (21) feet from the proposed right-of-way and oriented perpendicular to the traffic flow.~~
- ~~(ii) Multi-tenant directional signs, with dimensions of five (5) feet, six (6) inches by three (3) feet, six (6) inches (5'6" x 3'6"). The sign may include tenant names or logos and addresses with directional arrows. The signs shall be located along drives within the site.~~
- ~~(iii) Minor directional signs, with dimensions of two (2) feet by three (3) feet, three (3) inches (2' x 3'3"). Information shall be limited to generic directions, such as deliveries, exit, etc., with directional arrows. The signs shall be located as necessary within the site.~~
- ~~(iv) One (1) multi-tenant identification sign, with dimensions of five (5) feet, six (6) inches by three (3) feet, six (6) inches (5'6" x 3'6"). The sign may include tenant names or logos, and shall be located at the main site entrance, at least twenty-one (21) feet from the proposed right-of-way and oriented perpendicular to the traffic flow.~~
- ~~(v) Wall signage shall be permitted on buildings with frontage on Magruder Boulevard, Hampton Roads Center Parkway, Enterprise Parkway, Butler Farm Road, and/or Interstate 64. Buildings may have a maximum of two (2) wall-mounted signs per qualifying frontage, not to exceed two (2) sides of the building. Permitted~~

sign area shall be one (1) square foot per one (1) linear foot of building frontage, not to exceed a building total of one hundred fifty (150) square feet; if more than one (1) sign is used, the amount of sign area shall be divided between the signs. Said signs shall be proportionate to the building and located at the uppermost elevation of the building. Wall signage shall consist of only free-standing individual letters, figures, and/or characters. Track-mounting for said letters/characters shall be color coordinated to blend with background building material. Signs may be internally illuminated and/or back-lit with white light.

(vi) Tenant door identification shall be limited to copy on the door, to include the tenant name, logo, and suite number.

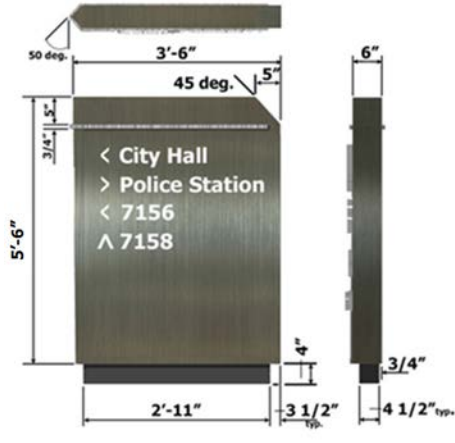
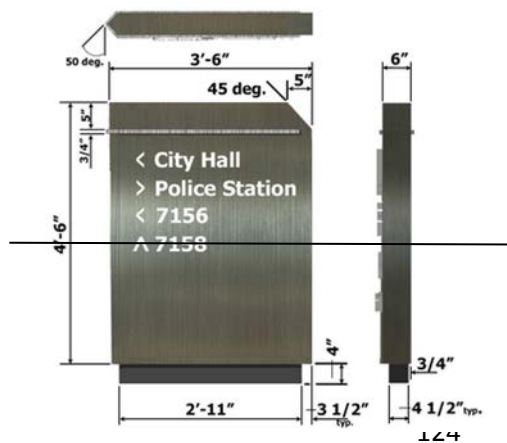
100



Major Identification *Figure A*
Major Tenant *Freestanding ground-mounted sign*

Major Identification
Multi-Tenant

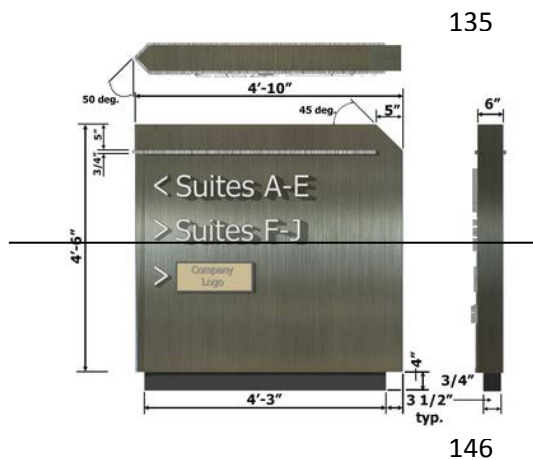
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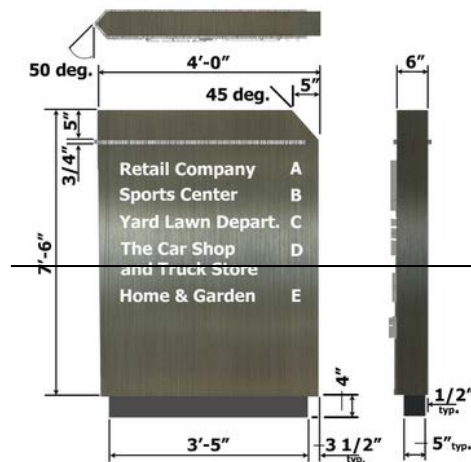
Major Directional

Figure B
Major Directional

132
133
134



Major Directional



Major Identification
Multi-Tenant

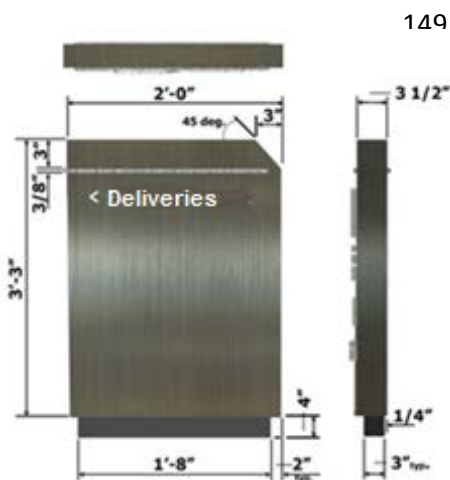


Figure C
Minor Directional

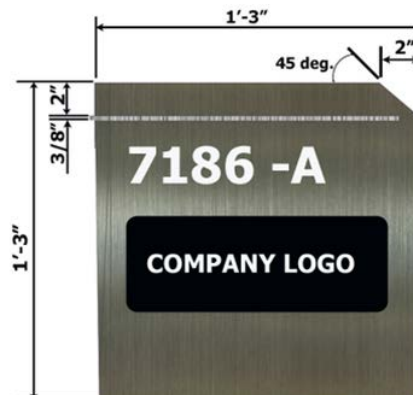


Figure D
Tenant Door I.D. Identification

- (3f) One (1) temporary construction sign shall be permitted per site, not to exceed a height of eight (8) feet above natural grade and not to contain more than thirty-six (36) square feet of sign area. All temporary construction signs shall be removed within fourteen (14) days of the issuance of a certificate of occupancy or within three (3) days of the erection of a permanent detached sign upon the site, whichever occurs first. Information permitted upon temporary construction signs shall be limited to the name of the project, the general contractor, the architect, the engineer, and other firms involved in the construction project.
- (4g) One (1) real estate sign for the initial lease-up period, which shall not exceed a height of ten (10) feet above natural grade and shall contain no more than thirty-two (32) square feet of sign area. The initial lease-up period shall be construed

176 as that time from the beginning of construction through the execution of lease(s)
177 for ninety-five (95) percent of the building's leasable space, or one (1) calendar
178 year, whichever is shorter. If the building has not reached ninety-five (95) percent
179 occupancy within one (1) year, the permit may be renewed by the zoning
180 administrator for an additional year. Such permit may be administratively
181 renewed twice, but the maximum permitted time period for such real estate sign
182 shall never exceed three (3) consecutive calendar years from the date of the
183 certificate of occupancy. Any subsequent real estate sign shall not exceed a
184 height of five (5) feet above natural grade and shall contain no more than sixteen
185 (16) square feet of sign area. Information permitted on such signs shall be limited
186 to the nature of the offering, the name and/or logo of the real estate company,
187 the listing agent, and the phone number. All such signs shall be removed within
188 five (5) days of the date of recordation of the deed for the property or execution
189 of the lease for the last leasable space on the property.

For Reference

ARTICLE II. - M-5A AND SPI-HRC

Sec. 18.1-16. - Intent.

This article provides the regulations governing signs in the Langley Flight Approach—Hampton Roads Center (M-5A) and Special Public Interest—Hampton Roads Center (SPI-HRC) Districts. All signs placed for exterior observance shall be regulated so as to protect the property values and protect against inappropriate or hazardous encroachment within the Hampton Roads Center business park.

Sec. 18.1-17. - Prohibited signs.

In addition to the prohibitions set forth in article I of this chapter, the following signs shall be prohibited in the Langley Flight Approach—Hampton Roads Center (M-5A) and Special Public Interest—Hampton Roads Center (SPI-HRC) Districts:

- (1) Exterior identification signs containing information other than that pertaining to a use conducted on the property.
- (2) Signs painted on a building.
- (3) Portable signs.
- (4) Off-premise advertising signs.

Sec. 18.1-18. - Permitted signs.

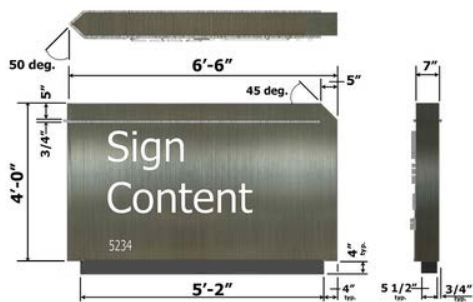
~~The following signs shall be permitted, as explained and illustrated:~~

- (1) ~~Each site with a multi-story building or with a one-story building with a single, main entrance shall be permitted~~ *the following, as explained and illustrated:*
 - (a) ~~One (1) main identification sign with~~ *freestanding ground-mounted sign with* dimensions of four (4) feet by six (6) feet, six (6) inches (4' x 6'6"). ~~The sign may include the building name and street address or the name and logo of the major tenant and street address. The sign shall be located at least~~ *set back* twenty-one (21) feet from the ~~proposed~~ right-of-way and oriented perpendicular to the traffic flow. *See Figure A below.*
 - (b) ~~Major directional signs, with dimensions of four (4)~~ *five (5)* feet, six (6) inches by three (3) feet, six (6) inches (4'6" *5'6"* x 3'6"). The sign may include tenant names or logos and addresses with directional arrows. The signs shall be located at ~~intersections of drives within~~ *internal to* the site. *See Figure B below.*
 - (c) ~~Minor directional signs, with dimensions of two (2) feet by three (3) feet, three (3) inches (2' x 3'3"). Information shall be limited to generic directions, such as deliveries, exit, etc., with directional arrows. The signs shall be located as necessary within the site.~~ *See Figure C below.*
 - (d) ~~Tenant door identification signs with dimensions of one (1) foot, three (3) inches (1'3") square. The sign may include the tenant name or logo, and shall be located adjacent to the entry door, four (4) inches from the door jam, with the top of the sign~~ *five (5) feet, eight (8) inches (5'8") from the finished floor. See Figure D below.*
 - (e) ~~Wall signage shall be permitted on buildings with frontage on Magruder Boulevard, Hampton Roads Center Parkway, Enterprise Parkway, Butler Farm Road, and/or Interstate 64. Buildings may have a maximum of two (2) wall-mounted signs per qualifying frontage, not to exceed two (2) sides of the building. Permitted sign area shall be one (1) square foot per one (1) linear foot of building frontage, not to exceed a building total of one hundred fifty (150) square feet; if more than one (1) sign is used, the amount of sign area shall be divided between the signs. Said signs shall be proportionate to the building and located at the uppermost elevation of the building. Wall signage shall consist of only free-standing individual letters, figures, and/or characters. Track-mounting for said letters/characters shall be color~~

For Reference

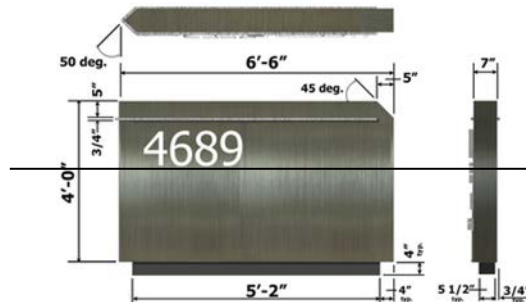
- coordinated to blend with background building material. Signs may be internally illuminated and/or back-lit with white light.
- (2) Each site with a one (1) story, multiple-entrance building shall be permitted the following:
- (a) One (1) main identification sign with dimensions of four (4) feet by six (6) feet, six (6) inches (4' x 6'6"). The sign may include the building name and street address or the name and logo of the major tenant and street address. The sign shall be located at least twenty-one (21) feet from the proposed right-of-way and oriented perpendicular to the traffic flow.
 - (b) Multi-tenant directional signs, with dimensions of five (5) feet, six (6) inches by three (3) feet, six (6) inches (5'6" x 3'6"). The sign may include tenant names or logos and addresses with directional arrows. The signs shall be located along drives within the site.
 - (c) Minor directional signs, with dimensions of two (2) feet by three (3) feet, three (3) inches (2' x 3'3"). Information shall be limited to generic directions, such as deliveries, exit, etc., with directional arrows. The signs shall be located as necessary within the site.
 - (d) One (1) multi-tenant identification sign, with dimensions of five (5) feet, six (6) inches by three (3) feet, six (6) inches (5'6" x 3'6"). The sign may include tenant names or logos, and shall be located at the main site entrance, at least twenty-one (21) feet from the proposed right-of-way and oriented perpendicular to the traffic flow.
 - (e) Wall signage shall be permitted on buildings with frontage on Magruder Boulevard, Hampton Roads Center Parkway, Enterprise Parkway, Butler Farm Road, and/or Interstate 64. Buildings may have a maximum of two (2) wall-mounted signs per qualifying frontage, not to exceed two (2) sides of the building. Permitted sign area shall be one (1) square foot per one (1) linear foot of building frontage, not to exceed a building total of one hundred fifty (150) square feet; if more than one (1) sign is used, the amount of sign area shall be divided between the signs. Said signs shall be proportionate to the building and located at the uppermost elevation of the building. Wall signage shall consist of only free-standing individual letters, figures, and/or characters. Track-mounting for said letters/characters shall be color coordinated to blend with background building material. Signs may be internally illuminated and/or back-lit with white light.
 - (f) Tenant door identification shall be limited to copy on the door, to include the tenant name, logo, and suite number.

87



Major Identification *Figure A*

Major Tenant *Freestanding ground-mounted sign*

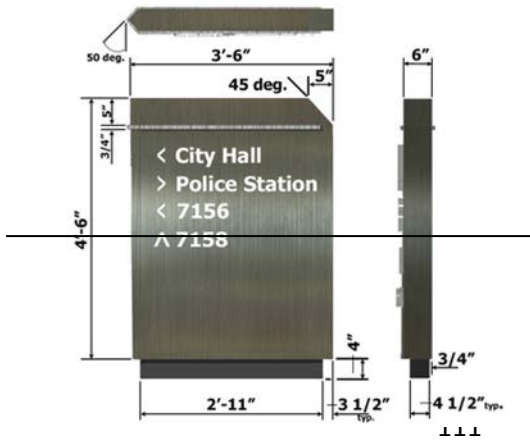


Major Identification

Multi-Tenant

For Reference

100



Major Directional

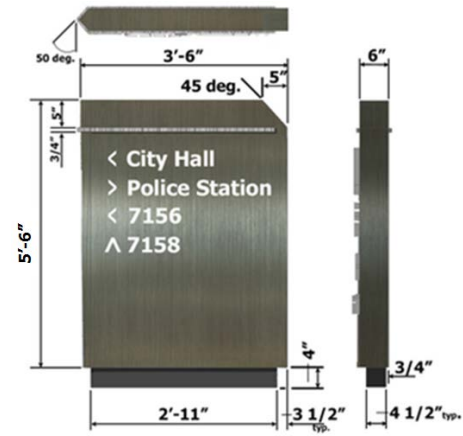
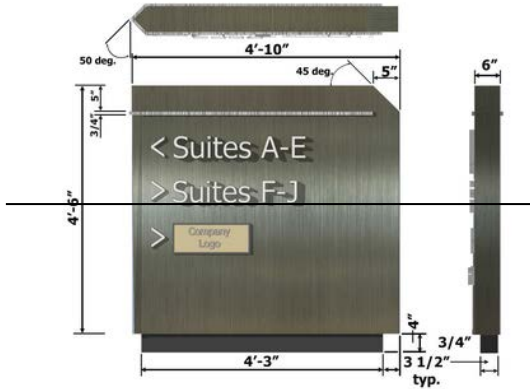
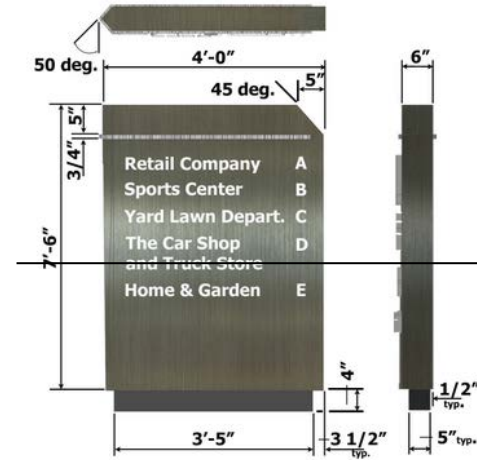


Figure B
Major Directional

115



Major Directional



Major Identification
Multi-Tenant

129

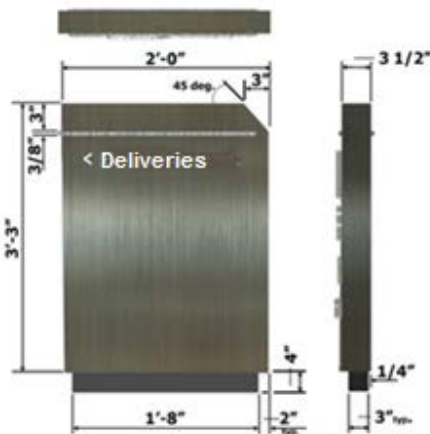


Figure C
Minor Directional

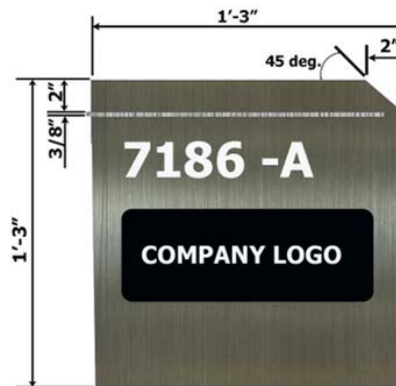


Figure D
Tenant Door I.D. Identification

For Reference

- (32) One (1) temporary construction sign shall be permitted per site, not to exceed a height of eight (8) feet above natural grade and not to contain more than thirty-six (36) square feet of sign area. All temporary construction signs shall be removed within fourteen (14) days of the issuance of a certificate of occupancy or within three (3) days of the erection of a permanent detached sign upon the site, whichever occurs first. Information permitted upon temporary construction signs shall be limited to the name of the project, the general contractor, the architect, the engineer, and other firms involved in the construction project.
- (43) One (1) real estate sign for the initial lease-up period, which shall not exceed a height of ten (10) feet above natural grade and shall contain no more than thirty-two (32) square feet of sign area. The initial lease-up period shall be construed as that time from the beginning of construction through the execution of lease(s) for ninety-five (95) percent of the building's leasable space, or one (1) calendar year, whichever is shorter. If the building has not reached ninety-five (95) percent occupancy within one (1) year, the permit may be renewed by the zoning administrator for an additional year. Such permit may be administratively renewed twice, but the maximum permitted time period for such real estate sign shall never exceed three (3) consecutive calendar years from the date of the certificate of occupancy. Any subsequent real estate sign shall not exceed a height of five (5) feet above natural grade and shall contain no more than sixteen (16) square feet of sign area. Information permitted on such signs shall be limited to the nature of the offering, the name and/or logo of the real estate company, the listing agent, and the phone number. All such signs shall be removed within five (5) days of the date of recordation of the deed for the property or execution of the lease for the last leasable space on the property.

Planning Commission

Zoning Ordinance Amendment 160-2015

April 2, 2015



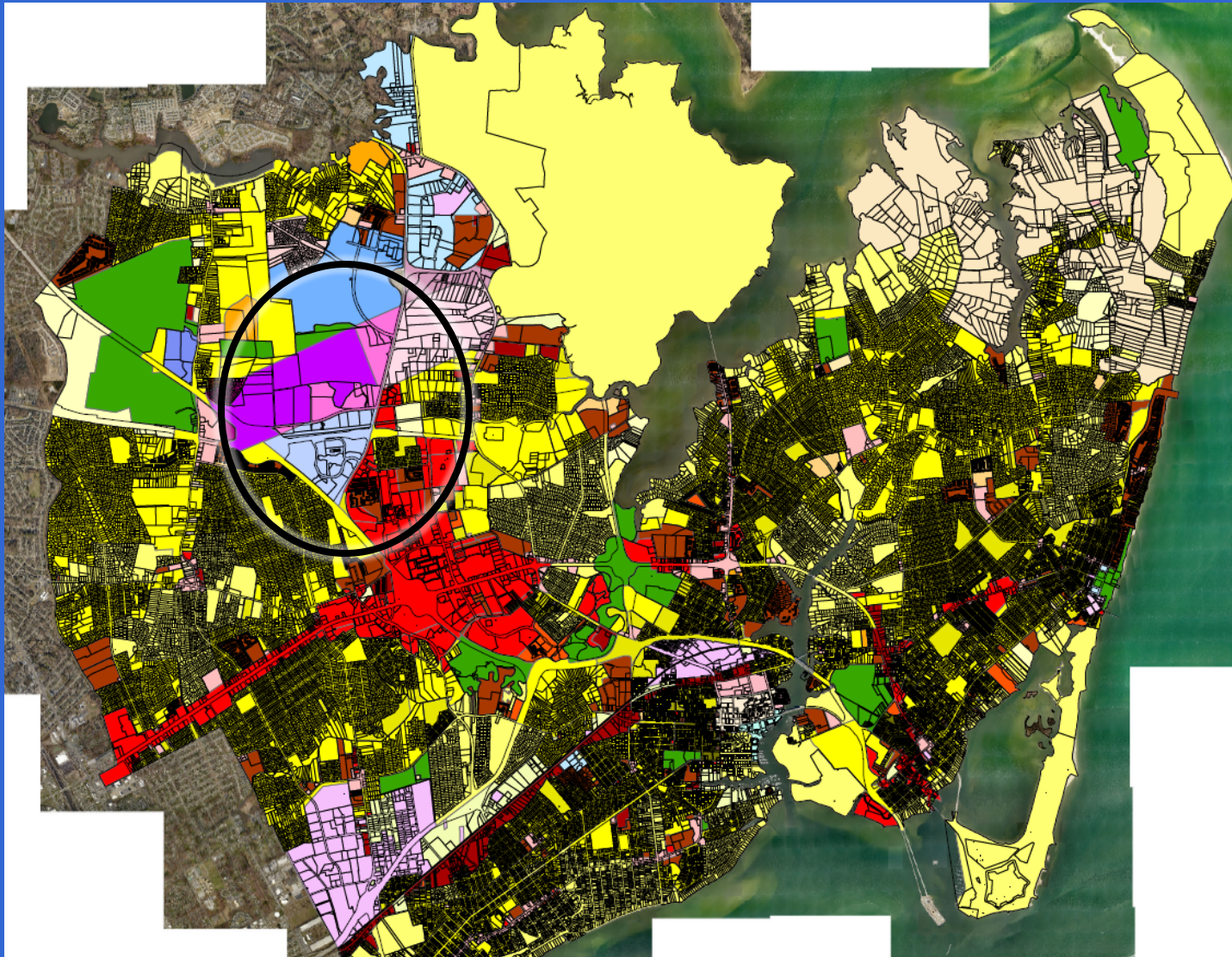
HAMPTON VA

Overview

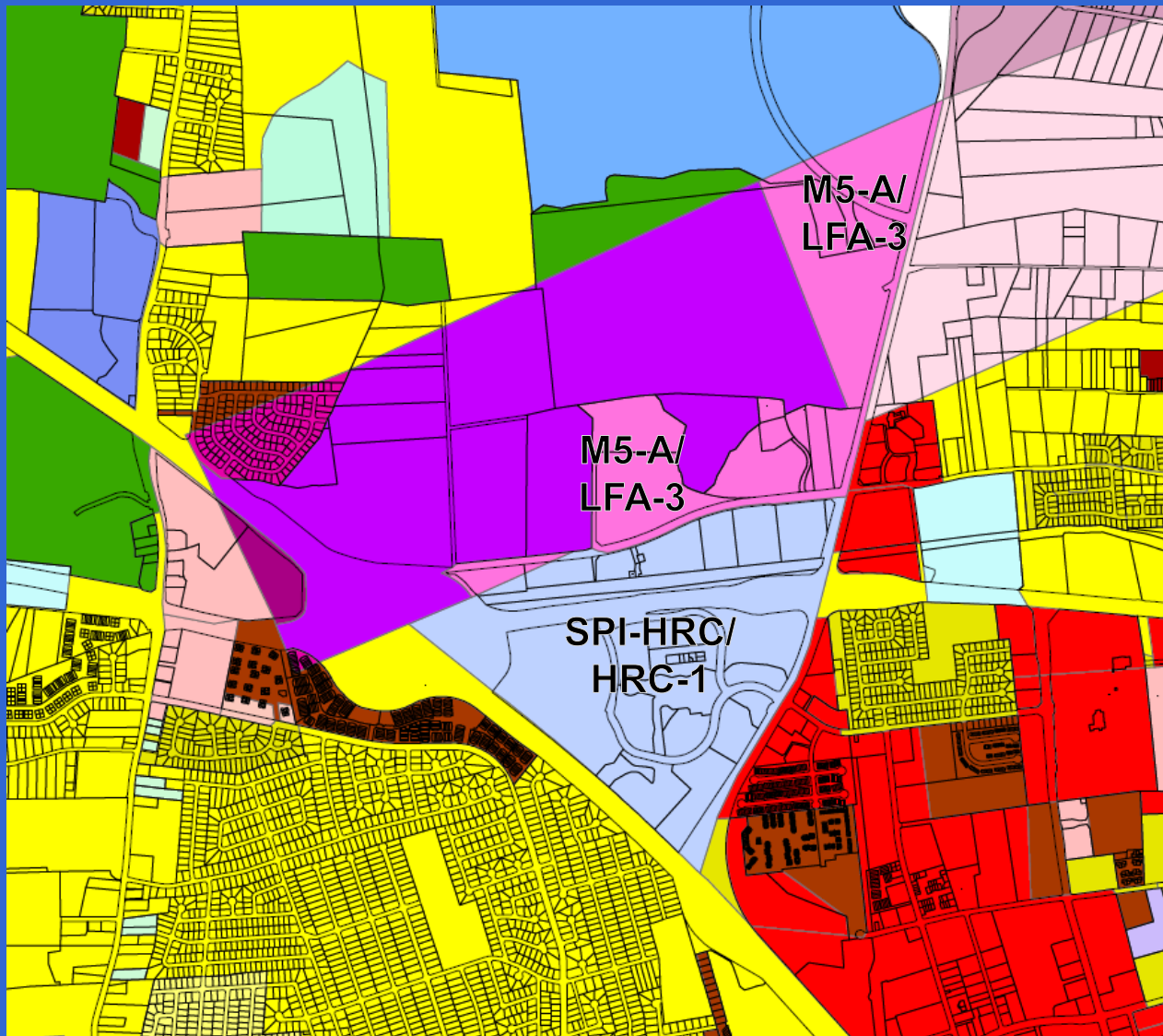
Special signage requirements in SPI-HRC and M5-A

- Type
- Size
- Placement
- Content

Location



Location

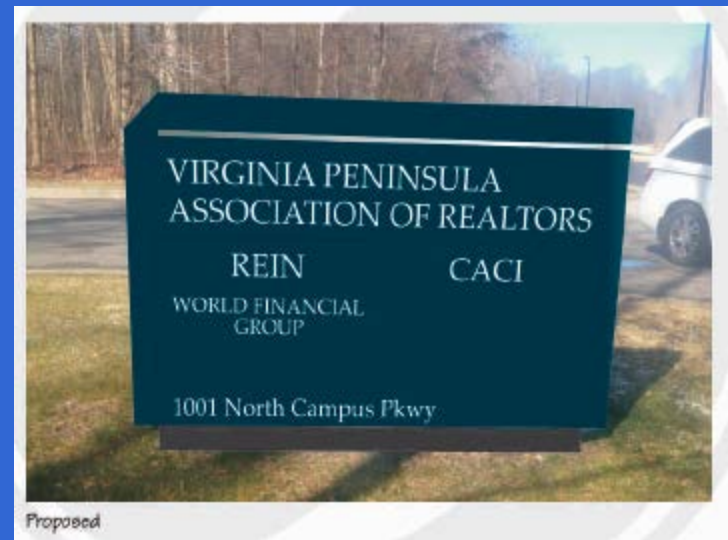


Issue

- Need to permit multiple tenant listings
- Clarify language

Solution

- Permit 1' additional for "Major Directional Signs"
- More flexibility of content



Action Requested

- Recommend approval of Zoning Ordinance Amendment 160-2015
 - Effective date of June 1, 2015



MEMORANDUM

To: Planning Commission
From: Sunshine M. Torrey, CIP Coordinator
Date: March 20, 2015
Subject: Manager's Recommended Capital Improvement Plan: FY 2016-2020

The proposed Fiscal Years 2016-2020 Capital Improvement Plan (CIP) totaling \$213,159,091 includes additions and improvements to the City's capital assets in the following expenditure categories: Education; Hampton's Waterways; Maintenance of Public Properties and Performance Support; Master Plans; Neighborhood Support; Other CIP Projects; Other Economic Development Projects; Public Safety and Streets and Infrastructure.

The CIP planning process involves a great deal of public outreach where staff seeks to gain insight into the projects/initiatives that are most important to our citizens. As a recap, staff conducted nine stakeholder road shows, held a community input session and launched an online polling survey that received over 500 respondents.

The Hampton Planning Commission will hold a public hearing on April 2, 2015 to receive public comment and take action on the proposed Fiscal Years 2016–2020 CIP. The proposed CIP will be presented to City Council in a public hearing, for approval, on April 8, 2015.

It has truly been a pleasure working with the Planning Commission and I hope to provide continual improvement for this process in future years. Please contact me at storrey@hampton.gov or at 727-6377 if you have any questions.

Attachments

Capital Improvement Plan by Expenditure Categories

Revenue Sources	FY16	Planned Year FY17	Planned Year FY18	Planned Year FY19	Planned Year FY20	TOTAL
General Fund Revenues						
General Fund Balance Transfer	\$2,750,000	\$3,648,872	\$3,148,872	\$3,148,872	\$3,148,872	\$15,845,488
General Fund Operating Revenues	2,369,913	2,343,393	2,333,393	2,333,393	2,433,393	11,813,485
Dedicated Tax Rate Increase: City Investments	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Dedicated Tax Rate Increase: Hampton City Schools Investments	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Urban Maintenance Contribution	5,921,106	6,039,528	6,160,318	6,281,108	6,281,108	30,683,168
VDOT Revenue Sharing <i>City</i> Match	665,000	1,061,250	0	0	0	1,726,250
Total:	\$15,706,019	\$17,093,043	\$15,642,583	\$15,763,373	\$15,863,373	\$80,068,391
Other Revenues						
Congestion Mitigation Air Quality Funds	\$698,000	\$0	\$0	\$0	\$0	\$698,000
General Obligation Bond Proceeds ~ City	17,465,700	10,096,250	5,600,000	4,100,000	10,952,000	48,213,950
General Obligation Bond Proceeds ~ Hampton City Schools	5,287,500	5,287,500	5,287,500	5,287,500	5,287,500	26,437,500
Stormwater Fund	3,935,000	3,860,000	3,405,000	4,425,000	4,935,000	20,560,000
Stormwater Fund- Fund Balance	1,000,000	1,050,000	1,125,000	0	0	3,175,000
VDOT Revenue Sharing <i>State</i> Match	5,370,000	1,811,250	0	0	0	7,181,250
VDOT Urban Contribution Initiative Fund (UCI)	0	785,000	0	0	0	785,000
Wastewater Fund	2,100,000	4,300,000	4,390,000	6,550,000	8,700,000	26,040,000
Total:	\$35,856,200	\$27,190,000	\$19,807,500	\$20,362,500	\$29,874,500	\$133,090,700
GRAND TOTAL ~ Revenues	\$51,562,219	\$44,283,043	\$35,450,083	\$36,125,873	\$45,737,873	\$213,159,091

Projects by Expenditure Categories	FY16	Planned Year FY17	Planned Year FY18	Planned Year FY19	Planned Year FY20	TOTAL
1. Education						
Hampton City Schools General Maintenance Projects	\$2,387,500	\$2,387,500	\$2,387,500	\$2,387,500	\$2,387,500	\$11,937,500
Hampton City Schools Investment Panel Improvement Projects	2,900,000	2,900,000	2,900,000	2,900,000	2,900,000	14,500,000
Hampton City Schools "One-to-One" Technology Initiative	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Thomas Nelson Community College Site Improvements	158,203	169,104	169,104	169,104	169,104	834,619
Total:	\$7,445,703	\$7,456,604	\$7,456,604	\$7,456,604	\$7,456,604	\$37,272,119

2. Hampton's Waterways						
Aberdeen School ED Wetlands	\$100,000	\$275,000	\$0	\$0	\$0	\$375,000
Air Power Park Water Quality Improvements	50,000	250,000	115,000	0	0	415,000
Amherst Road Wetlands	0	125,000	175,000	500,000	0	800,000
Berkshire Terrace Improvements from Mary Peake Study	1,250,000	0	0	0	0	1,250,000
Buckroe Avenue Wetland	100,000	200,000	0	0	0	300,000
Buckroe Shopping Mall Wetlands	0	175,000	500,000	500,000	0	1,175,000
Butler Farm Road Wet Pond	0	0	0	200,000	1,000,000	1,200,000
Cornerstone Assembly Wet Pond	50,000	35,000	100,000	0	0	185,000
Fields Drive Wetland	0	50,000	45,000	115,000	0	210,000
Hall Road Wetland	0	100,000	90,000	225,000	0	415,000
Hampton Woods Constructed Wetlands	0	50,000	50,000	105,000	0	205,000
Jones Magnet Middle School Detention Pond	0	90,000	350,000	0	0	440,000
Kraft Elem Ext. Detention Wetland	0	0	0	150,000	425,000	575,000
Lynnhaven Lake Outfall Structure	50,000	100,000	0	0	0	150,000
Marcela Road Culvert Enlargement	0	0	0	50,000	105,000	155,000
Mary Peake Outfall Improvements at Newmarket Creek	1,000,000	550,000	0	0	0	1,550,000
Mercury Blvd Interchange Pond Conv.	0	0	125,000	500,000	0	625,000

Projects by Expenditure Categories	FY16	Planned Year FY17	Planned Year FY18	Planned Year FY19	Planned Year FY20	TOTAL
2. Hampton's Waterways						
Mercury Blvd Wetland	\$0	\$0	\$0	\$175,000	\$695,000	\$870,000
Merrimack Elementary Wetland	0	100,000	225,000	0	0	325,000
Neighborhood Stormwater Improvements	585,000	585,000	585,000	585,000	585,000	2,925,000
Pochin Place/Indian Creek	1,000,000	1,050,000	1,125,000	0	0	3,175,000
Proprietary BMPs (Stormceptor)	0	0	0	165,000	655,000	820,000
Thomas Eaton Middle Bioretention	0	100,000	210,000	0		310,000
Salt Pond Dredging	0	500,000	0	500,000	0	1,000,000
Salt Pond Inlet Improvement	1,525,000	0	0	0	0	1,525,000
Water Quality Improvements from on-going Watershed Studies	0	0	0	1,155,000	1,470,000	2,625,000
Watershed Studies	600,000	600,000	400,000	0	0	1,600,000
William Cooper Elementary Dry Pond	0	75,000	135,000	0	0	210,000
Winchester Drive Drainage Improvements	150,000	400,000	300,000	0	0	850,000
Total:	\$6,460,000	\$5,410,000	\$4,530,000	\$4,925,000	\$4,935,000	\$26,260,000

3. Maintenance of Public Properties and Performance Support						
Circuit Courthouse (renovation of old facility)	\$0	\$0	\$2,000,000	\$1,000,000	\$0	\$3,000,000
City-wide and Downtown Landscaping Enhancements	100,000	100,000	100,000	100,000	100,000	500,000
Infrastructure Rehabilitation Program (Wastewater Fund)	2,100,000	4,300,000	4,390,000	6,550,000	8,700,000	26,040,000
Parking Lot Maintenance	270,000	0	0	0	0	270,000
Parks and Recreation Maintenance	2,500,000	2,500,000	3,000,000	2,000,000	3,000,000	13,000,000
Public Facility Improvements	3,798,700	3,000,000	2,000,000	2,000,000	3,000,000	13,798,700
Neighborhood Centers, Newmarket Creek Park & Love Your City Projects	1,441,119	0	0	0	0	0
Re-engineering Technology	100,000	100,000	100,000	100,000	100,000	500,000
Total:	\$10,309,819	\$10,000,000	\$11,590,000	\$11,750,000	\$14,900,000	\$57,108,700

4. Master Plans						
Boardwalk Extension	\$160,735	\$0	\$0	\$0	\$0	\$160,735
Buckroe Redevelopment	370,000	0	0	0	0	370,000
Coliseum Central Retail & Hospitality Redevelopment	3,000,000	0	0	0	0	3,000,000
Downtown Redevelopment Initiative	1,260,000	0	0	0	0	1,260,000
Master Plan Area Investments*	1,000,000	2,000,000	2,000,000	2,000,000	2,000,000	9,000,000
Strategic Acquisition City	0	798,872	798,872	798,872	798,872	3,195,488
Total:	\$5,790,735	\$2,798,872	\$2,798,872	\$2,798,872	\$2,798,872	\$16,986,223

5. Neighborhood Support						
Blighted Property Acquisition and Demolition	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000
Housing Improvement Grants	100,000	100,000	0	100,000	100,000	400,000
Housing Venture Program	60,000	0	0	0	0	60,000
Neighborhood Improvement Funding	0	0	100,000	0	100,000	200,000
Total:	\$410,000	\$350,000	\$350,000	\$350,000	\$450,000	\$1,910,000

6. Other CIP Projects						
Contingency	\$154,439	\$110,000	\$100,000	\$100,000	\$100,000	\$564,439
Motorola Lease Payment	1,864,289	1,864,289	1,864,289	1,864,289	1,864,289	9,321,445
Total:	\$2,018,728	\$1,974,289	\$1,964,289	\$1,964,289	\$1,964,289	\$9,885,884

7. Other Economic Development Projects						
Commercial Blight Abatement & Redevelopment	\$0	\$600,000	\$600,000	\$600,000	\$600,000	\$2,400,000
Total:	\$0	\$600,000	\$600,000	\$600,000	\$600,000	\$2,400,000

Projects by Expenditure Categories	FY16	Planned Year FY17	Planned Year FY18	Planned Year FY19	Planned Year FY20	TOTAL
8. Public Safety						
Police In-Car & Body Cameras	\$168,128	\$0	\$0	\$0	\$0	\$168,128
Phoebus Fire Station	0	0	0	0	6,352,000	6,352,000
Self Contained Breathing Apparatus	1,100,000	0	0	0	0	1,100,000
Wythe Fire Station	500,000	5,050,000	0	0	0	5,550,000
Total:	\$1,768,128	\$5,050,000	\$0	\$0	\$6,352,000	\$13,170,128
9. Streets and Infrastructure						
Coliseum Drive Extension Phase 1	\$0	\$1,500,000	\$0	\$0	\$0	\$1,500,000
Commerce Drive Extension	1,000,000	0	0	0	0	1,000,000
Freeman Drive Alignment	950,000	0	0	0	0	950,000
Hampton Roads Center Parkway at Big Bethel Road	145,000	700,000	0	0	0	845,000
Mallory Street Improvements	110,000	797,500	0	0	0	907,500
Mercury Boulevard Sidewalks {Coliseum Drive to Armistead Avenue}	950,000	0	0	0	0	950,000
Newmarket Creek Trail	1,400,000	0	0	0	0	1,400,000
North King Street Streetscape {Lincoln Street to I-64}	70,000	425,000	0	0	0	495,000
North King Street Streetscape - Phase 3	3,085,000	0	0	0	0	3,085,000
Pembroke Avenue Reconstruction - Phase 3	1,050,000	0	0	0	0	1,050,000
Saunders Road	0	981,250	0	0	0	981,250
Street Resurfacing	5,551,106	5,669,528	5,790,318	5,911,108	5,911,108	28,833,168
Street Resurfacing- VDOT Allocation to Ft. Monroe	370,000	370,000	370,000	370,000	370,000	1,850,000
Settlers Landing Bridge Repairs	1,925,000	0	0	0	0	1,925,000
Thomas Nelson Drive Hasting New Traffic Signal	55,000	200,000	0	0	0	255,000
Traffic Signal System Retiming	698,000	0	0	0	0	698,000
Total:	\$17,359,106	\$10,643,278	\$6,160,318	\$6,281,108	\$6,281,108	\$46,724,918
GRAND TOTAL ~ Projects by Expenditure Category	<u>\$51,562,219</u>	<u>\$44,283,043</u>	<u>\$35,450,083</u>	<u>\$36,125,873</u>	<u>\$45,737,873</u>	<u>\$213,159,091</u>



MEMORANDUM

TO: Hampton Planning Commission
FROM: Michael York, Junior Youth Planner
DATE: April 2015
SUBJECT: Update on the Youth Planner Program and Hampton Youth Commission

The first Hampton Youth Commission (HYC) meeting of the month took place on March 2nd. This meeting was centered on preparing a survey for the city's youth. The survey's focus is on local public transportation. Youth Commissioners brainstormed ideas for questions that could be asked on this survey. The most common survey topics during the discussion included: whether there should be Wi-Fi internet, extra cushioning, or charging stations for mobile phones on Hampton Roads Transit Buses. The purpose of the survey is to provide local transportation officials with a database of qualitative data from youth. Following the brainstorming, the HYC continued planning for their bus tour recruitment event scheduled for March 28th. During this section of the meeting, Youth Commissioners presented the guests they plan on inviting to this event.

On March 9th, the Commission continued to establish their roles for the bus tour. At the beginning of the meeting, they presented the ideas for activities that they wanted to lead. The purpose of these activities is to introduce the bus tour invitees to the Hampton Youth Commission members and the type of work they do.

Alternatives, Inc. trained the HYC on professionalism on March 16th. The purpose of the training was to refresh the Commissioners on professionalism and ways to improve it. Additionally on March 16th, the HYC received a presentation from the Community Development Department staff on the Coliseum Central Master Plan update. The presentation outlined new initiatives in areas such as: Coliseum North, Coliseum South, Coliseum Crossroads, and Sentara Medical Campus.

The Hampton Youth Commission will host a bus tour recruitment event on March 28th. This event will provide the opportunity for potential commissioners to familiarize themselves with the organization's work by riding a bus and providing feedback.

If you have any questions, feel free to contact Michael York at (757)728-2064 or mt york@hampton.gov.

Community Development Department, Planning & Zoning Administration Division

22 Lincoln Street, 5th floor | Hampton, Virginia 23669
www.hampton.gov | Hampton's 311: 757.727.8311 | O.757.727.6140